United Nations A/71/816–S/2017/171

General Assembly
Security Council

Distr.: General
2 March 2017
English
Original: Arabic

General Assembly
Seventy-first session
Agenda item 34
The situation in the Middle East

Security Council
Seventy-second year

Identical letters dated 23 February 2017 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

Lebanon is extremely concerned by the litany of allegations that have been made against it by Israel recently.

For more than six decades, Lebanon has endured the aggressions and threats of Israel and Israeli occupation of its territory. Unfortunately, that state of affairs persists to this day and is an ever-present and mounting challenge to my country's national security.

Meanwhile, the repercussions of the ongoing Israeli occupation of Palestinian territory continue to mount. The most prominent and most tragic example of that is the suffering of the Palestinians who have fled to Lebanon since 1948. Those Palestinians continue to be deprived of the right of return because Israel has persistently refused to implement the relevant internationally authoritative resolutions, above all General Assembly resolution 194 (III).

The war that Israel waged against Lebanon in August 2006 is a cruel example of Israeli aggression. It clearly shows that Israel does not hesitate to use disproportionate and excessive force, and how blithely it violates every principle of international law. Let us not forget that this war displaced nearly a third of Lebanon's population and destroyed infrastructure throughout the country, and that one of its by-products was an oil slick along our county's coast. That slick caused significant, confirmed environmental damage. It was that war that prompted the adoption of Security Council resolution 1701 (2006), which Israel, as usual, has failed to respect. Since its adoption, Israel has breached the resolution more than 11,000 times, violating the sovereignty of Lebanon by land, sea and air on a daily basis, as documented by the reports of the Secretary-General on the implementation of resolution 1701 (2006). Meanwhile, Israel continues to make threats against

Please recycle

Lebanon without restraint. On many occasions those threats were voiced by senior Israeli officials, who have gone so far as to threaten to destroy Lebanon once again and target its infrastructure and vital facilities.

I should like to reiterate that Lebanon complies fully with all of the relevant authoritative international resolutions, particularly the entirety of resolution 1701 (2006). The full implementation of that resolution is a prerequisite for a just and comprehensive peace in the region, one that is based on respect for the principles of international law, the foremost of which is the right of States to live in peace and security, as well as the right to defend themselves against foreign occupation and external threats.

I should like to call once again on the Security Council and the international community to take immediate and effective action and apply the necessary pressure on Israel, in order to compel it to comply with the provisions of the above-mentioned resolution. Israel continues to pursue a policy of utter disregard for international law and authoritative international resolutions, and that presents a clear threat to regional and international security and peace.

I should be grateful if you would have the present letter issued as a document of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

United Nations S/2017/172

Security Council

Distr.: General
28 February 2017

Original: English

Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Qatar, Romania, Saudi Arabia, Slovakia, Spain, Sweden, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC) ratified by the Syrian Arab Republic on 14 September 2013, and the Council's resolutions 1540 (2004), 2118 (2013), 2209 (2015), 2235 (2015), 2314 (2016), and 2319 (2016),

Reaffirming its strong commitment to the sovereignty, independence and territorial integrity of the Syrian Arab Republic,

Condemning again in the strongest terms any use of toxic chemicals as a weapon in the Syrian Arab Republic, and *reaffirming* that the use of chemical weapons constitutes a serious violation of international law,

Recalling its determination to identify those parties in Syria responsible for the use of any chemical weapons in the Syrian Arab Republic, and *recalling* also the establishment of the Organisation for the Prohibition of Chemical Weapons (OPCW) — United Nations Joint Investigative Mechanism (JIM) to identify to the greatest extent feasible individuals, entities, groups, or governments who were perpetrators, organisers, sponsors or otherwise involved in the use of chemical weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic where the OPCW Fact-Finding Mission (FFM) determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons,

Stressing the need for all Member States to fully comply with their obligations under resolution 2178 (2014),

Recalling the report of the Director-General of the OPCW dated 6 July 2016 (EC-82/DG.18), and *recalling* also the decision of the Executive Council of the OPCW dated 11 November 2016 (EC-83/DEC.5),

17-03367 (E) 010317

Please recycle

Stressing that those responsible for any use of chemical weapons must be held accountable,

Recalling that in resolution 2118 (2013) the Council underscored that no party in Syria should use, develop, produce, acquire, stockpile, retain or transfer chemical weapons, and decided that member States shall inform immediately the Security Council of any violations of resolution 1540 including acquisitions by non-State actors of chemical weapons, their means of delivery and related materials in order to take necessary measures,

Recalling the decisions taken by the Security Council in resolutions 2118 (2013) and 2209 (2015) that in the event of future non-compliance with resolution 2118 (2013) to impose measures under Chapter VII of the United Nations Charter;

Recalling that, in its resolution 2118 (2013), it decided that the Syrian Arab Republic and all parties in Syria shall cooperate fully with the OPCW and the United Nations, including by complying with their relevant recommendations,

Calling on all other States to cooperate fully with the OPCW-United Nations Joint Investigative Mechanism and in particular to provide it and the OPCW with any relevant information they may possess pertaining to individuals, entities, groups, or governments who were perpetrators, organisers, sponsors or otherwise involved in the use of chemicals as weapons including chlorine or any other toxic chemical in the Syrian Arab Republic,

Reaffirming its grave concern that the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), and other individuals, groups, undertakings, and entities associated with ISIL (Da'esh) or Al-Qaida, including but not limited to foreign terrorist fighters who have joined ISIL (Da'esh) in Syria, groups that have pledged allegiance to ISIL (Da'esh), and Al-Nusra Front (ANF), continue operating in the Syrian Arab Republic,

Noting that immediately after the JIM's establishment there was a decrease in the number of allegations of use of chemicals as weapons in the Syrian Arab Republic, *noting* also that such allegations have continued during the course of the JIM's mandate, and *stressing* its outrage that individuals continue to be killed and injured by the use of any toxic chemical as a chemical weapon in the Syrian Arab Republic,

Welcoming the unanimous adoption of Resolution 2319 (2016) which extended the mandate of the JIM for one additional year,

Reaffirming its determination that the use of chemical weapons anywhere constitutes a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Takes note* of the third and fourth reports of the JIM (S/2016/738 and S/2016/888), and in particular the third report's findings that there is sufficient information to reach a conclusion on the actors involved in the cases of Talmenes (21 April 2014), Sarmin (16 March 2015) and Marea (21 August 2015), and the fourth report's finding that there is sufficient information to reach a conclusion on the actors involved in the case of Qmenas (16 March 2015), and in light of these findings *concludes* that resolution 2118 (2013) has been violated;

2. *Expresses* grave concern about the JIM's findings in its third and fourth reports, and *condemns* in the strongest terms the use of chemical weapons in the Syrian Arab Republic by the Syrian Arab Armed Forces and the Islamic State in Iraq and the Levant (ISIL, also known as "Daesh"), who have been identified by the

OPCW-UN JIM as having been perpetrators, organizers, sponsors, or otherwise involved in the use of chemical weapons in the Syrian Arab Republic;

3. *Affirms* its strong condemnation of the use of chemical weapons by the Syrian authorities, and ISIL or any other party, in violation of international law, in the course of the ongoing conflict in the Syrian Arab Republic since March 2011;

4. *Expresses* its strong conviction that those individuals responsible for the use of chemical weapons in the Syrian Arab Republic should be thoroughly investigated, and prosecuted, as appropriate, before a competent tribunal which is both independent and impartial and *calls for* all parties in Syria to cease any use of toxic chemicals as weapons immediately and permanently;

5. *Expresses* grave concern that the OPCW Technical Secretariat, as reported by the Director-General (EC-82/DG.18 dated 6 July 2016), is not able to resolve all identified gaps, inconsistencies and discrepancies in Syria's declaration, and therefore cannot fully verify that Syria has submitted a declaration that can be considered accurate and complete in accordance with the CWC or OPCW Executive Council decision EC-M-33/DEC.1 dated 27 September 2013 or resolution 2118 (2013), and *calls upon* the Syrian Arab Republic to comply fully with all its consequent obligations, including, the expeditious resolution of all outstanding issues regarding its initial declaration and related disclosures;

6. *Recalls* that in resolution 2118 (2013), the Council decided that the Syrian Arab Republic shall comply with all aspects of the decision of the OPCW Executive Council of 27 September 2013 (Annex I to resolution 2118), *further recalls* paragraph 1 of Annex I to resolution 2118 (2013), *decides* that the Syrian Arab Republic shall within 30 days declare and place under OPCW supervision and control all chemical weapons as defined in paragraph 1 of Article II of the CWC that the Syrian Arab Republic owns or possesses, or has under its jurisdiction or control, and which it has not so far declared to the OPCW, including:

(a) The chemical name and military designator of any chemical which is not specifically held for purposes not prohibited in accordance with Paragraph 9 of Article II of the CWC, that are located, as of the day of adoption of this resolution, on the facilities of the Syrian Arab Armed Forces;

(b) The specific type of any munitions and devices it holds which are capable of deploying chemical weapons, including those which have been adapted or are intended to be adapted for delivery of chlorine, and including specific quantities or each type that are filled and unfilled; and

(c) The location of any remaining chemical weapons, chemical weapons storage facilities, chemical weapons production facilities and chemical weapons research and development facilities, including sites where chlorine and associated munitions and devices are stored.

and *requests* that the OPCW take appropriate action, in accordance with its mandate, to implement the decisions set forth in this paragraph.

7. *Remains* gravely concerned by the threat of terrorism and the risk that non-State actors may acquire, develop, traffic in or use nuclear, chemical, and biological weapons and their means of delivery, especially in the Middle East region;

8. *Expresses* grave concern that ISIL, a terrorist group responsible for a range of serious violations of international law, has used chemical weapons, in breach of principles set out in Resolution 1540 (2004) regarding use of and access to weapons of mass destruction by non-state actors;

9. *Affirms* the measures imposed against ISIL in resolution 2253 (2015), in particular the obligation on all States to ensure that no funds, financial assets, economic resources or arms, including those listed in document S/2017/170 control list and those listed in Annex 2, are made available, directly or indirectly, for its benefit, by their nationals or by persons within their territory, and, in light of the findings of the OPCW-UN JIM, *urges* all States to redouble their efforts to implement fully and completely the relevant measures so as to prevent ISIL from using chemical weapons in the future;

10. *Encourages* all States including relevant regional States to provide, as appropriate, to the OPCW-UN JIM and to the OPCW information on non-State actors' access to chemical weapons and their components or efforts by non-State actors to develop, acquire, manufacture, possess, transport, transfer or use chemical weapons and their means of delivery that occur under their jurisdiction, including relevant information from national investigations, and underscores the importance of States Parties' obligations under Article VII of the CWC, and the full implementation of paragraph 8 of resolution 2235, including with respect to information pertaining to non-State actors;

11. *Notes* that, since the UN-OPCW submitted its fourth report, the OPCW FFM has continued to investigate and report on allegations of chemical weapons use in Syria, and requests the Director General of the OPCW to keep the Council informed of the progress of these investigations;

12. *Notes* that in cases where the OPCW FFM determines that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, such an incident will be investigated further by the JIM in accordance with its mandate, and *recalls* the obligation of the Syrian authorities to cooperate with that investigation and *stresses* the importance or full cooperation with all other outstanding requests for information and assistance made by the OPCW and JIM;

13. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake the following tasks:

(a) to monitor implementation of the measures imposed in this resolution;

(b) to designate individuals to be subject to the measures imposed by paragraph 18 of this resolution and to consider requests for exemptions in accordance with paragraph 19 of this resolution;

(c) to designate individuals, groups and entities to be subject to the measures imposed by paragraph 17 of this resolution and to consider requests for exemptions in accordance with paragraph 18 of this resolution;

(d) to establish such guidelines as may be necessary to facilitate the implementation of the measures imposed in this resolution;

(e) to report within 30 days to the Security Council on its work and every 90 days thereafter, as well as on the implementation of this resolution with its observations and recommendations, in particular ways to strengthen the effectiveness of the measures;

(f) to encourage a dialogue between the Committee and interested States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(g) to seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed in this resolution;

(h) to examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution, with a view to ensuring consequences for all violations of the relevant measures;

14. *Calls upon* all States to report to the Committee within 90 days of the adoption of this resolution on the steps they have taken to implement the measures imposed in this resolution;

15. *Decides* that the measures in paragraph 17 of this resolution shall apply to the individuals and entities in Annex 1 of this resolution, and the individuals and entities designated for such measures by the Committee, and that the measures in paragraph 21 of this resolution shall apply to the individuals designated in Annex 1 of this resolution and the individuals designated for such measures by the Committee, as:

(a) responsible for, engaged in or otherwise involved in the use, transfer, acquisition, proliferation, development, manufacture or production of chemical weapons in the Syrian Arab Republic;

(b) involved in or complicit in ordering, controlling, authorizing, or otherwise directing the evasion of the measures imposed in this resolution or resolution 2118 (2013); or

(c) acting for on behalf of or at the direction of, being owned or controlled by, providing financial, logistical, or other support to, or being associated with, the individuals or entities identified in this paragraph;

16. *Encourages* Member States to submit to the Committee names of individuals and entities who meet the criteria set out in paragraph 15 of this resolution;

17. *Decides* that all Member States shall freeze without delay all funds, other financial assets and economic resources in their territories at the date of adoption of this resolution or any time thereafter, which are owned or controlled, directly or indirectly, by the individuals and entities listed in the Annex to this resolution or designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, including through illicit means, and *decides* further that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in Annex 1 to this resolution or individuals or entities designated by the Committee, or individuals or entities which are owned or controlled, directly or indirectly, by those individuals or entities so listed or designated or acting on their behalf or at their direction;

18. *Decides* that the measures imposed by paragraph 17 of this resolution do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(a) to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, in accordance with national laws, or fees or service charges, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant Member State to the Committee of the intention to

authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification,

(b) to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant Member State or Member States to the Committee and has been approved by the Committee; or

(c) to be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of an individual or entity designated pursuant to [the designation criteria], and has been notified by the relevant Member State or Member States to the Committee;

19. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 17 of this resolution of interest or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

20. *Decides* that the measures in paragraph 17 of this resolution shall not prevent a designated individual, or entity from making payment due under a contract entered into prior to the listing of such an individual or entity, provided that the relevant States(s) have determined that the contract is not related to any items whose transfer is prohibited by this resolution and the payment is not directly or indirectly received by a individual or entity designated pursuant to paragraph 17 of this resolution, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

21. *Decides* that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in the Annex 1 to this resolution or designated by the Committee, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

22. *Decides* that the measures imposed by paragraph 21 of this resolution shall not apply:

(a) where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation; or

(b) where entry or transit is necessary for the fulfillment of a judicial process; or

(c) where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in Syria and stability in the region;

23. *Decides* that all States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer to, or for the benefit of, the individuals or entities listed in Annex 1 of this resolution or individuals or entities designated by the Committee, or individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, from or through their territories or by their nationals or individuals subject to their jurisdiction, or using their flag vessels or aircraft, whether or not originating in their territories, of chlorine or of the items specified in the Schedules to the CWC and in the list in document S/2017/170, and of all arms and related materiel used to deliver chemicals as weapons, and *decides*

also that this provision shall apply with respect to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such items and of arms and related materiel;

24. *Decides* that the measures imposed in paragraph 23 of this resolution shall not apply to the supply, sale or transfer of items that the Committee approves in advance on a case-by-case basis;

25. Decides that all Member States shall prevent the direct or indirect supply, sale or transfer to the armed forces, ministries, agencies, entities and other individuals under the control or authority of the Government of the Syrian Arab Republic, through their territories or by these entities and individuals, or using their flag vessels or aircraft, and whether or not originating in territory that they control, of any helicopters, or related materiel including spare parts, as specified in Annex 2 of this resolution, or other items related to the use of helicopters as determined by the Security Council or the Committee established by paragraph 13;

26. *Decides* that the measures in OP25 shall not apply to any helicopters or related material including spare parts that the Committee determines, on a case-by-case basis, are necessary for the safe operation of civilian helicopters or would otherwise further the objectives of this resolution;

27. *Requests* the Secretary-General to create for an initial period until 1 March 2018, in consultation with the Committee, a group of up to six experts ("Panel of Experts"), and to make the necessary financial and security arrangements to support the work of the Panel, under the direction of the Committee to carry out the following tasks:

(a) assist the Committee in carrying out its mandate as specified in paragraph 13 above;

(b) gather, examine and analyze information regarding the implementation of the measures in paragraphs 17, 21, 23, and 25 of this resolution, in particular incidents of non-compliance;

(c) make recommendations on actions that the Council, the Committee or States may consider taking to improve implementation of the relevant measures;

(d) provide to the Council an interim report on its work no later than six months after the Panel's appointment, and a final report to the Council no later than 1 November 2017 with its findings and recommendations;

28. *Expresses* its intent to review the mandate of the Committee and of the Panel of Experts and take appropriate action regarding further extension no later than 1 February 2018;

29. *Urges* all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed in this resolution, in particular incidents of non-compliance;

30. *Directs* the Committee and the Panel of Experts to cooperate closely with other Security Council Sanctions Committees and their respective United Nations sanctions expert monitoring panels, in particular the Analytical Support and Sanctions Monitoring Team established pursuant to resolutions 1526 (2004) and 2253 (2015), the Technical Secretariat of the OPCW, and the members of the JIM, to cooperate and share information with each other regarding compliance with United Nations sanctions that relate to the use of toxic chemicals as weapons;

31. *Emphasizes* the importance of all States, including Syria, taking the necessary measures to ensure that no claim shall lie at the instance of the Syrian

authorities, any individual or entity in Syria, any individual or entity designated for the measures set forth in this resolution, or any individual or entity claiming through or for the benefit of any such individual or entity, in connection with any contract or other transaction where its performance was affected by reason of the measures taken by this resolution and related resolutions;

32. *Directs* the 1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee to continue to review proposals for designation of individuals and entities in Syria who meet the relevant designation criteria of being associated with ISIL, al-Nusrah Front, al-Qaeda, or associated individuals, groups, undertakings, and entities;

33. *Emphasizes* the importance of all relevant States and international organizations retaining and preserving information regarding the use of chemical weapons in Syria so that it may be made available for use in future investigations and judicial proceedings;

34. *Expresses* its intent to review additional options to ensure accountability for perpetrators, organizers, sponsors, or persons or entities otherwise involved in the use of chemical weapons in the Syrian Arab Republic;

35. *Reaffirms* its intention to keep the situation in the Syrian Arab Republic under continuous review and underlines its readiness to review at any time the measures imposed by this resolution, including by strengthening, suspending or lifting those measures, as appropriate;

36. *Requests* the Secretary-General to report on implementation of this resolution within 30 days of its adoption and every 60 days thereafter;

37. *Decides* to remain actively seized of the matter.

Annex 1: Designations

1. AMR ARMANZI

   a. Description: Director-General of the SSRC/CERS, responsible for the development and production of chemical weapons, and the missiles to deliver them in the Syrian Arab Republic.

   b. A.K.A: Amr Muhammad Najib Al-Armanazi, Amr Najib Armanazi, Amrou Al-Armanazy)

   c. Identifiers: DOB: 07 Feb 1944

2. BRIGADIER GENERAL GHASSAN ABBAS

   a. Description: Head of the branch of the SSRC/CERS near Jumraya/Jmraiya. As a result of his senior position in the SSRC, he is associated with SSRC. Involved in the proliferation of chemical weapons and the organisation of chemical weapons attacks in the Syrian Arab Republic.

   b. Identifiers: Date of birth: 10.3.1960; Place of birth: Homs, Syria

3. COLONEL MUHAMMAD BILAL

   a. Description: A senior officer in the Air Force Intelligence Service of Syria who is associated with the SSRC/CERS.

   b. AKA: Lieutenant Colonel Muhammad Bilal

   c. Identifiers: Date of birth: May 25, 1971

4. BAYAN BITAR

   a. Description: Managing Director of, and thereby associated with, the Organisation for Technological Industries (OTI), a subsidiary of the Syrian Ministry of Defence, which assists in the production of chemical weapons for the Syrian regime.

   b. A.K.A: Dr Bayan Al-Bitar

   c. Identifiers: Date of birth: 8.3.1947

      Address: PO Box 11037 Damascus, Syria

5. COL SUHAYL HASAN AL-HASAN

   a. Description: COL Suhayl Hasan is a pro-regime militia commander and Syrian Air Force Intelligence (SAFI) officer who coordinated regime operations in Idlib

Governorate (in which Sarmin, Qmenas and Talmenes are located) when the chlorine attacks on Sarmin and Qmenas took place. Hasan was thereby involved in the use of chlorine in those attacks.

b. AKA: Suheil Hassan

c. Identifiers: Date of birth: circa 1964

6. MG JAMIL HASSAN

a. Description: Head of Syrian Air Force Intelligence (SAFI) and commander of the SAFI personnel involved in the chlorine attacks on Talmenes, Qmenas and Sarmin.

b. AKA: Jamil Hasan

c. Identifiers: Date of birth: 1953; Place of birth: Syria

7. MG SAJI JAMIL DARWISH

a. Description: MG Darwish was a commander of the Syrian Air Force who oversaw air operations in northern Syria during the period investigated by the JIM. By nature of his position, he would have allowed chlorine use in his area of responsibility, including the attack on Talmenes that the Joint Investigative Mechanism (JIM) reported was conducted by Hamah Airfield-based helicopters and the chlorine attacks on Sarmin and Qmenas that the JIM reported were conducted by Humaymim Airfield-based helicopters.

b. Identifiers: Date of birth: January 11, 1957

8. BG MUHAMMAD IBRAHIM

a. Description: BG Muhammad Ibrahim was the deputy commander of the Syrian Air Force's 63rd Air Brigade at Hamah Airfield at the time of the Talmenas attack, from which the Joint Investigative Mechanism reported that the chlorine attack on Talmenes was conducted.

b. Identifiers: Date of birth: August 5, 1964

9. BG BADI' MUALLA

a. Description: BG Badi' Mualla was the commander of the Syrian Air Force's 63rd Air Brigade during the period investigated by the JIM. By nature of his position, he would have allowed chlorine use in his area of responsibility, including the attack on Talmenes that the Joint Investigative Mechanism reported was conducted by Hamah Airfield-based helicopters.

b. Identifiers: Date of birth: 1961; Place of birth: Bistuwir, Jablah, Syria

10. MG TALAL SHAFIQ MAKHLUF

a. Description: Major General in the Syrian Republican Guard. Makhluf would have coordinated military operations incorporating chlorine strikes by virtue of his high rank and position within the Republican Guard.

b. AKA: Talal Makhlouf
c. Identifiers: Date of birth: December 1, 1958

11. MG AHMAD BALLUL

a. Description: Commander, Syrian Air & Air Defense Forces. As Commander of the Syrian Air and Air Defense, Ballul oversees all air assets in Syria, including helicopter brigades, indicating that he would have allowed the regime's chlorine use.
b. AKA: Ahmad Muhammad Ballul
c. Identifiers: Date of birth: October 10, 1954

12. CENTRE D'ÉTUDES ET DE RECHERCHES SYRIEN (CERS)

a. Description: Government entity responsible for developing and producing chemical weapons, and the missiles to deliver them in the Syrian Arab Republic.

b. A.K.A. CENTRE D'ETUDE ET DE RECHERCHE SCIENTIFIQUE (CERS); SCIENTIFIC STUDIES AND RESEARCH CENTER (SSRC); CENTRE DE RECHERCHE DE KABOUN

c. Identifiers: Barzeh Street, PO Box 4470, Damascus

13. EXPERT PARTNERS

a. Description: Associated with SSRC/CERS, acts as a proxy.

b. Identifiers: Address: Rukn Addin, Saladin Street, Building 5, PO Box: 7006, Damascus, Syria

14. BUSINESS LAB

a. Description: Associated with SSRC/CERS, acts as a front company.

b. Identifiers: Maysat Square, Al Rasafi Street Bldg. 9, PO Box 7155, Damascus; Tel: 963112725499; Fax: 963112725399

15. INDUSTRIAL SOLUTIONS

a. Description: Associated with SSRC/CERS, acts as a front company.

b. Identifiers: Baghdad Street 5, PO Box 6394, Damascus; Tel /fax: 63114471080

16. NATIONAL STANDARDS & CALIBRATION LABORATORY (NSCL)

a. Description: Affiliated to and a subsidiary of the SSRC/CERS. It provides training and support to the SSRC.

b. Identifiers: P.O. Box 4470 Damascus

17. HANDASIEH – ORGANIZATION FOR ENGINEERING INDUSTRIES

a. Description: Associated with SSRC/CERS, acts as a front company.

b. Identifiers: P.O. Box 5966, Abou Bakr Al-Seddeq St., Damascus and PO BOX 2849 Al-Moutanabi Street, Damascus and PO BOX 21120 Baramkeh, Damascus; Tel: 963112121816; 963112121834; 963112214650; 963112212743; 963115110117

18. SYRONICS – SYRIAN ARAB CO. FOR ELECTRONIC INDUSTRIES

a. Description: Associated with SSRC/CERS, acts as a front company.

b. Identifiers: Kaboon Street, P.O.Box 5966, Damascus; Tel.: +963-11-5111352; Fax: +963-11-5110117

19. MECHANICAL CONSTRUCTION FACTORY (MCF)

a. Description: Associated with SSRC/CERS, acts as front company.

b. Identifiers: P.O. Box 35202, Industrial Zone, Al-Qadam Road, Damascus

20. HIGHER INSTITUTE FOR APPLIED SCIENCES AND TECHNOLOGY (HIAST)

a. Description: Affiliated to and a subsidiary of the SSRC/CERS. It provides training and support to the SSRC.

b. Identifiers: P.O. Box 31983, Barzeh

21. ORGANISATION FOR TECHNOLOGICAL INDUSTRIES

a. Description: OTI, a subsidiary of the Syrian Ministry of Defence, involved in the production of chemical weapons for the Syrian regime.

b. A.K.A: Technical Industries Corporation (TIC)

Identifier: Address: PO Box 11037 Damascus, Syria

Annex 2: Embargo on helicopters

All items and related equipment, including ground based equipment, engines and components of helicopters, as follows;

1 Helicopters and specially designed components therefor

2 Unmanned helicopters, ground support equipment, command and control equipment and specially designed components for unmanned helicopters

3 Helicopter propulsion engines and specially designed components therefor

4 Ground equipment specially designed for helicopters or engines, including:

a) equipment specially designed for maintenance or repair of helicopters

b) pressure refuelling equipment

c) equipment designed to facilitate operations in confined areas.

5 Helicopter aircrew life support equipment, aircrew safety equipment and other devices for emergency escape that are not intrinsically part of the aircraft.

Annex to the letter dated 24 February 2017 from the Permanent Representatives of France, the United Kingdom, and the United States to the United Nations addressed to the President of the Security Council

EXPORT CONTROL LIST: CHEMICAL WEAPONS AND PRECURSORS

Precursor Chemical	CAS No.	CWC-Schedule
Thiodiglycol	(111-48-8)	2B
Phosphorus oxychloride	(10025-87-3)	3B
Dimethyl methylphosphonate	(756-79-6)	2B
Methylphosphonyl difluoride (DF)	(676-99-3)	1B
Methylphosphonyl dichloride (DC)	(676-97-1)	2B
Dimethyl phosphite (DMP)	(868-85-9)	3B
Phosphorus trichloride	(7719-12-2)	3B
Trimethyl phosphite (TMP)	(121-45-9)	3B
Thionyl chloride	(7719-09-7)	3B
3-Hydroxy-1-methylpiperidine	(3554-74-3)	Not Listed
N,N-Diisopropyl-(beta)-aminoethyl chloride	(96-79-7)	2B
N,N-Diisopropyl-(beta)-aminoethane thiol	(5842-07-9)	2B
3-Quinuclidinol	(1619-34-7)	2B
Potassium fluoride	(7789-23-3)	Not Listed
2-Chloroethanol	(107-07-3)	Not Listed
Dimethylamine	(124-40-3)	Not Listed
Diethyl ethylphosphonate	(78-38-6)	2B
Diethyl N,N-dimethylphosphoramidate	(2404-03-7)	2B
Diethyl phosphite	(762-04-9)	3B
Dimethylamine hydrochloride	(506-59-2)	Not Listed
Ethylphosphinyl dichloride	(1498-40-4)	2B
Ethylphosphonyl dichloride	(1066-50-8)	2B
Ethylphosphonyl difluoride	(753-98-0)	1B
Hydrogen fluoride	(7664-39-3)	Not Listed
Methyl benzilate	(76-89-1)	Not Listed
Methylphosphinyl dichloride	(676-83-5)	2B
N,N-Diisopropyl-(beta)-amino-ethanol	(96-80-0)	2B
Pinacolyl alcohol	(464-07-3)	2B
O-Ethyl O-2-diisopropylaminoethyl methylphosphonite (QL)	(57856-11-8)	1B
Triethyl phosphite	(122-52-1)	3B
Arsenic trichloride	(7784-34-1)	2B
Benzilic acid	(76-93-7)	2B
Diethyl methylphosphonite	(15715-41-0)	2B
Dimethyl ethylphosphonate	(6163-75-3)	2B
Ethylphosphinyl difluoride	(430-78-4)	2B
Methylphosphinyl difluoride	(753-59-3)	2B
3-Quinuclidone	(3731-38-2)	Not Listed
Phosphorus pentachloride	(10026-13-8)	3B
Pinacolone	(75-97-8)	Not Listed
Potassium cyanide	(151-50-8)	Not Listed
Potassium bifluoride	(7789-29-9)	Not Listed
Ammonium bifluoride	(1341-49-7)	Not Listed
Sodium bifluoride	(1333-83-1)	Not Listed
Sodium fluoride	(7681-49-4)	Not Listed
Sodium cyanide	(143-33-9)	Not Listed
Triethanolamine	(102-71-6)	3B

Phosphorus pentasulphide	(1314-80-3)	Not Listed
Diisopropylamine	(108-18-9)	Not Listed
Diethylaminoethanol	(100-37-8)	Not Listed
Sodium sulphide	(1313-82-2)	Not Listed
Sulphur monochloride	(10025-67-9)	3B
Sulphur dichloride	(10545-99-0)	3B
Triethanolamine hydrochloride	(637-39-8)	Not Listed
N,N-Diisopropyl-2-aminoethyl chloride hydrochloride	(4261-68-1)	2B
Methylphosphonic acid	(993-13-5)	2B
Diethyl methylphosphonate	(683-08-9)	2B
N,N-Dimethylaminophosphoryl dichloride	(677-43-0)	2B
Triisopropyl phosphite	(116-17-6)	Not Listed
Ethyldiethanolamine	(139-87-7)	3B
O,O-Diethyl phosphorothioate	(2465-65-8)	Not Listed
O,O-Diethyl phosphorodithioate	(298-06-6)	Not Listed
Sodium hexafluorosilicate	(16893-85-9)	Not Listed
Methylphosphonothioic dichloride	(676-98-2)	2B
Diethylamine	(109-89-7)	Not Listed
Aluminum chloride	(7446-70-0)	Not Listed
Dichloromethane	(75-09-2)	Not Listed
N,N-Dimethylaniline	(121-69-7)	Not Listed
Isopropyl bromide	(75-26-3)	Not Listed
Isopropyl ether	(108-20-3)	Not Listed
Monoisopropylamine	(75-31-0)	Not Listed
Potassium Bromide	(7758-02-3)	Not Listed
Pyridine	(110-86-1)	Not Listed
Sodium bromide	(7647-15-6)	Not Listed
Sodium metal	(7440-23-5)	Not Listed
Sulfur trioxide	(7446-11-9)	Not Listed
Tributylamine	(102-82-9)	Not Listed
Triethylamine	(121-44-8)	Not Listed
Trimethylamine	(75-50-3)	Not Listed
Hexamine	(100-97-0)	Not Listed
Chlorine	(7782-50-5)	Not Listed
White Phosphorus	(12185-10-3)	Not Listed

Technical note - Chemicals are listed by name, Chemical Abstract Service (CAS) number and CWC Schedule (where applicable). Chemicals of the same structural formula (e.g., hydrates) are controlled regardless of name or CAS number. CAS numbers are shown to assist in identifying whether a particular chemical or mixture is controlled, irrespective of nomenclature. However, CAS numbers cannot be used as unique identifiers in all situations because some forms of the listed chemical have different CAS numbers, and mixtures containing a listed chemical may also have different CAS numbers.

CONTROL LIST OF DUAL-USE CHEMICAL MANUFACTURING FACILITIES AND EQUIPMENT AND RELATED TECHNOLOGY AND SOFTWARE

I. MANUFACTURING FACILITIES AND EQUIPMENT[1]

Reaction Vessels, Reactors or Agitators

Reaction vessels or reactors, with or without agitators, with total internal (geometric) volume greater than 0.1 m^3 (100 l) and less than 20 m^3 (20000 l), where all surfaces that come in direct contact with the chemical(s) being processed or contained are made from the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) tantalum or tantalum alloys;
f) titanium or titanium alloys;
g) zirconium or zirconium alloys; or
h) niobium (columbium) or niobium alloys.

Agitators designed for use in the above-mentioned reaction vessels or reactors; and impellers, blades or shafts designed for such agitators where all surfaces of the agitator that come in direct contact with the chemical(s) being processed or contained are made from any of the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) tantalum or tantalum alloys;
f) titanium or titanium alloys;
g) zirconium or zirconium alloys; or
h) niobium (columbium) or niobium alloys.

Storage Tanks, Containers or Receivers

Storage tanks, containers or receivers with a total internal (geometric) volume greater than 0.1 m^3 (100 l) where all surfaces that come in direct contact with the chemical(s) being processed or contained are made from the following materials:

---

[1] Note 1. The objective of these controls should not be defeated by the transfer of any non-controlled item containing one or more controlled components where the controlled component or components are the principal element of the item and can feasibly be removed or used for other purposes.

N.B. In judging whether the controlled component or components are to be considered the principal element, governments should weigh the factors of quantity, value, and technological know-how involved and other special circumstances which might establish the controlled component or components as the principal element of the item being procured.

Note 2. The objective of these controls should not be defeated by the transfer of a whole plant, on any scale, which has been designed to produce any CW agent or controlled precursor chemical.

Note 3. The materials used for gaskets, packing, seals, screws, washers or other materials performing a sealing function do not determine the status of control of the items listed below, provided that such components are designed to be interchangeable.

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) tantalum or tantalum alloys;
f) titanium or titanium alloys;
g) zirconium or zirconium alloys; or
h) niobium (columbium) or niobium alloys.

Heat Exchangers or Condensers

Heat exchangers or condensers with a heat transfer surface area of greater than 0.15 m^2, and less than 20 m^2; and tubes, plates, coils or blocks (cores) designed for such heat exchangers or condensers, where all surfaces that come in direct contact with the chemical(s) being processed are made from the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) graphite or carbon-graphite;
f) tantalum or tantalum alloys;
g) titanium or titanium alloys;
h) zirconium or zirconium alloys;
i) silicon carbide;
j) titanium carbide; or
k) niobium (columbium) or niobium alloys.

Technical note: carbon-graphite is a composition consisting of amorphous carbon and graphite, in which the graphite content is eight percent or more by weight.

Distillation or Absorption Columns

Distillation or absorption columns of internal diameter greater than 0.1 m; and liquid distributors, vapour distributors or liquid collectors designed for such distillation or absorption columns, where all surfaces that come in direct contact with the chemical(s) being processed are made from the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) graphite or carbon-graphite;
f) tantalum or tantalum alloys;
g) titanium or titanium alloys;
h) zirconium or zirconium alloys; or
i) niobium (columbium) or niobium alloys.

Technical note: carbon-graphite is a composition consisting of amorphous carbon and graphite, in which the graphite content is eight percent or more by weight.

Filling Equipment

Remotely operated filling equipment in which all surfaces that come in direct contact with the chemical(s) being processed are made from the following materials:

a) nickel or alloys with more than 40% nickel by weight; or
b) alloys with more than 25% nickel and 20% chromium by weight.

Valves

a) Valves, having both of the following:
   i. A nominal size greater than 1.0 cm (3/8"), and
   ii. All surfaces that come in direct contact with the chemical(s) being produced, processed, or contained are made from the materials of construction in Technical Note 1 of this entry

b) Valves, not already identified in paragraph 6.a., having all of the following:
   i. A nominal size equal to or greater than 2.54 cm (1") and equal to or less than 10.16 cm (4")
   ii. Casings (valve bodies) or preformed casing liners,
   iii. A closure element designed to be interchangeable, and
   iv. All surfaces of the casing (valve body) or preformed case liner that come in direct contact with the chemical(s) being produced, processed, or contained are made from the materials of construction in Technical Note 1 of this entry

a) Components, as follows:
   i. Casings (valve bodies) designed for valves in paragraphs 6.a.or 6.b., in which all surfaces that come in direct contact with the chemical(s) being produced, processed, or contained are made from the materials of construction in Technical Note 1 of this entry;
   ii. Preformed casing liners designed for valves in paragraphs 6.a.or 6.b., in which all surfaces that come in direct contact with the chemical(s) being produced, processed, or contained are made from the materials of construction in Technical Note 1 of this entry.

Technical Note 1. Materials of construction for valves are any of the following:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) tantalum or tantalum alloys;
f) titanium or titanium alloys;
g) zirconium or zirconium alloys;
h) niobium (columbium) or niobium alloys; or
i) ceramic materials as follows:
   1. silicon carbide with a purity of 80% or more by weight;
   2. aluminum oxide (alumina) with a purity of 99.9% or more by weight;
   3. zirconium oxide (zirconia).

Technical Note 2. The 'nominal size' is defined as the smaller of the inlet and outlet port diameters.

Multi-Walled Piping

Multi-walled piping incorporating a leak detection port, in which all surfaces that come in direct contact with the chemical(s) being processed or contained are made from the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) graphite or carbon-graphite;
f) tantalum or tantalum alloys;
g) titanium or titanium alloys;
h) zirconium or zirconium alloys; or
i) niobium (columbium) or niobium alloys.

Technical note: carbon-graphite is a composition consisting of amorphous carbon and graphite, in which the graphite-content is eight percent or more by weight.

Pumps

Multiple-seal and seal-less pumps with manufacturer's specified maximum flow-rate greater than 0.6 m3/h, or vacuum pumps with manufacturer's specified maximum flow-rate greater than 5 m^3/h (under standard temperature (273 K (0o C)) and pressure (101.3 kPa) conditions), and casings (pump bodies), preformed casing liners, impellers, rotors or jet pump nozzles designed for such pumps, in which all surfaces that come into direct contact with the chemical(s) being processed are made from any of the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight;
c) fluoropolymers (polymeric or elastomeric materials with more than 35% fluorine by weight);
d) glass or glass-lined (including vitrified or enamelled coating);
e) graphite or carbon-graphite;
f) tantalum or tantalum alloys;
g) titanium or titanium alloys;
h) zirconium or zirconium alloys;
i) ceramics;
j) ferrosilicon (high silicon iron alloys); or
k) niobium (columbium) or niobium alloys.

Technical note 1: carbon-graphite is a composition consisting of amorphous carbon and graphite, in which the graphite content is eight percent or more by weight.

Technical note 2: : The seals referred to in this control come into direct contact with the chemical(s) being processed (or are designed to), and provide a sealing function where a rotary or reciprocating drive shaft passes through a pump body.

Incinerators

Incinerators designed to destroy CW agents, controlled precursors or chemical munitions, having specially designed waste supply systems, special handling facilities, and an average combustion chamber temperature greater than 1000o C, in which all surfaces in the waste supply system that come into direct contact with the waste products are made from or lined with the following materials:

a) nickel or alloys with more than 40% nickel by weight;
b) alloys with more than 25% nickel and 20% chromium by weight; or
c) ceramics.

Technical note: For the listed materials in the above entries, the term 'alloy' when not accompanied by a specific elemental concentration is understood as identifying those alloys where the identified metal is present in a higher percentage by weight than any other element.

II. TOXIC GAS MONITORING SYSTEMS AND THEIR DEDICATED DETECTING COMPONENTS

Toxic gas monitoring systems and their dedicated detecting components as follows: detectors; sensor devices; replaceable sensor cartridges; and dedicated software therefore

i. designed for continuous operation and usable for the detection of chemical warfare agents or controlled precursors at concentrations of less than 0.3 mg/m^3; or
ii. designed for the detection of cholinesterase-inhibiting activity

III. RELATED TECHNOLOGY

'Technology', including licenses, directly associated with -

- CW agents;
- controlled precursors; or
- controlled dual-use equipment items,
- to the extent permitted by national legislation.

This includes:

- transfer of 'technology' ('technical data') by any means, including electronic media, fax or telephone;
- transfer of 'technology' in the form of 'technical assistance'.
- Controls on 'technology' do not apply to information 'in the public domain' or to 'basic scientific research' or the minimum necessary information for patent application.

The approval for export of any controlled item of dual-use equipment also authorises the export to the same end-user of the minimum 'technology' required for the installation, operation, maintenance or repair of that item.

IV. SOFTWARE

Controls on 'software' transfer only apply where specifically indicated in sections I and II above, and do not apply to 'software' which is either:

a) Generally available to the public by being:
    a. Sold from stock at retail selling points without restriction, by means of:
        i. Over-the-counter transactions;
        ii. Mail order transactions;
        iii. Electronic transactions; or
        iv. Telephone call transactions; and
    b. Designed for installation by the user without further substantial support by the supplier; or
b) 'In the public domain'.

Definition of Terms

'Basic scientific research'

Experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective.

'Development'

'Development' is related to all phases before 'production' such as:

- design
- design research
- design analysis
- design concepts
- assembly of prototypes
- pilot production schemes
- design data
- process or transforming design data into a product
- configuration design
- integration design
- layouts

'Export'

An actual shipment or transmission of controlled items out of the country. This includes transmission of 'technology' by electronic media, fax or telephone.

'in the public domain'

'In the public domain', as it applies herein, means 'technology' or 'software' that has been made available without restrictions upon its further dissemination. (Copyright restrictions do not remove 'technology' or 'software' from being in the 'public domain').

'Microprogramme'

A sequence of elementary instructions maintained in a special storage, the execution of which is initiated by the introduction of its reference instruction register.

'Production'

'Production' means all production phases such as:

- construction
- production engineering
- manufacture
- integration
- assembly (mounting)
- inspection
- testing
- quality assurance

'Programme'

A sequence of instructions to carry out a process in, or convertible into, a form executable by an electronic computer.

'Software'

A collection of one or more 'programmes' or 'microprogrammes' fixed in any tangible medium of expression.

'Technology'

Specific information necessary for the 'development', 'production' or 'use' of a product. The information takes the form of 'technical data' or 'technical assistance'.

'Technical assistance'

May take forms, such as: instruction, skills, training, working knowledge, consulting services. 'Technical assistance' includes oral forms of assistance. 'Technical assistance' may involve transfer of 'technical data'.

'Technical data'

May take forms such as blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories.

'Use'

Operation, installation (including on-site installation), maintenance (checking), repair, overhaul or refurbishing.

United Nations S/2017/173

Security Council

Distr.: General
1 March 2017
English
Original: Arabic

Identical letters dated 25 February 2017 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I wish to transmit the following information:

On the morning of Saturday, 25 February 2017, an armed terrorist group active in Homs city carried out a series of savage attacks. Six suicide bombers struck simultaneously, attacking two security compounds and adjacent areas in the city. Some 50 civilians and soldiers were killed, and at least 24 others were injured.

The terrorist organization Nusrah Front/Front for the Conquest of the Levant, which is one branch of the global Al-Qaida organization in the Syrian Arab Republic, has claimed responsibility for the terrorist attack. The six terrorists blew themselves up at the direction of their handlers. They were following the extremist Wahhabist terrorist ideology that they had absorbed.

The Government of the Syrian Arab Republic condemns this shameful terrorist crime, along with the other savage crimes committed by armed terrorist groups associated with the terrorist organizations Al-Qaida and Islamic State in Iraq and the Levant (ISIL). It calls on the Secretariat of the United Nations and the Security Council to condemn this cowardly attack.

It should be noted that the terrorist crime took place on the third day of the consultations convened in Geneva by the United Nations Special Envoy. Its aim was to reverse the positive outcomes of the first and second meetings in Astana. In view of this ominous development, the Special Envoy must also condemn the terrorist acts, and the groups taking part in the Geneva negotiations must, without exception, condemn these acts of terrorism.

The moment of truth has come: it is now clear that the international community and, in particular, the Security Council have been slow to do what it takes in order to join forces and combat terrorism, which claims greater numbers of innocent Syrian lives with every passing day. The United Nations must now endeavour to prevail on the Governments of those States that sponsor the terrorist groups to desist from violating international law and the Charter of the United Nations, bring an end to the crimes of their terrorist acolytes, and comply fully with the counter-terrorism resolutions of the Security Council, particularly resolutions

Please recycle

1267 (1999), 1373 (2001), 2170 (2014), 2178 (2014), 2199 (2015) and 2253 (2016), in addition to the United Nations Global Counter-Terrorism Strategy and the resolution adopted at the fifth review of the Strategy.

The Government of the Syrian Arab Republic once again calls on the Secretary-General and the Security Council to condemn these terrorist acts and redouble their efforts to bring the international community together in working to eliminate terrorism and hold its State sponsors accountable. These savage terrorist acts will not distract Syria from its role in combating terrorism, which poses a threat to all Syrians and to security and stability in the region and the world.

I should be grateful if you would have the present letter issued as a document of the Security Council.

(*Signed*) Mounzer **Mounzer**
Minister Plenipotentiary
Chargé d'affaires a.i.

United Nations S/2017/174

Security Council

Distr.: General
2 March 2017
English
Original: French

Letter dated 27 February 2017 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to submit herewith, for distribution to other Security Council members as a document of the Council, the communiqué of the Government of the Republic of Burundi issued today, Monday 27 February 2017 (see annex), on the advance copy of the report of the Secretary-General on Burundi in circulation in many international media.

(*Signed*) Albert **Shingiro**
Ambassador
Permanent Representative of Burundi to United Nations

17-03523 (E) 080317 080317

Please recycle

Annex to the letter dated 27 February 2017 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the Government of Burundi on the report submitted to the Security Council

27 February 2017

The Government of Burundi has learned via the media that a report on the situation in Burundi was submitted to the Security Council and is due to be issued this Monday, 27 February 2017. Not having been officially notified of the report, the Government of Burundi cannot claim to know the details of its content; however, it would like to communicate the following:

1. The Government of the Republic of Burundi is pleased with the work done in conjunction with the United Nations, particularly since the 2000s. Cooperation with the Organization has always been good and Burundi, for its part, hopes that it will continue in the same vein.

However, the Government of the Republic of Burundi regrets that certain lobbies whose interests and positions are recognized as being against Burundi appear to hold sway over certain United Nations bodies, to the extent that they influence some reports.

The latest report submitted to the Security Council, which was made widely available to the public well in advance of its publication by the French media, is the most telling illustration of this.

2. The Government of Burundi would like to remind the Secretary-General that it has officially disavowed the author of the report, Mr. Jamal Benomar. Therefore, he is incapable of submitting a report on Burundi that is objective or balanced, if only from a moral standpoint.

3. The report refers to unsubstantiated facts and makes allegations about the intentions of the highest authorities of the Republic. For example, the reference to the President's "fourth term" is incomprehensible because, to date, no official United Nations report has endorsed the third-term theory supported by the insurgents. Thus, Mr. Jamal Benomar has finally stepped out of the shadows, publicly revealing his true motives.

It should be recalled that the Arusha Peace and Reconciliation Agreement for Burundi is being fully implemented by all the institutions of the Republic, and that any allegations to the contrary are made in bad faith.

4. The Government of Burundi would like to take this opportunity to emphasize that Security Council resolution 173 (1962) of 26 July 1962, by which Burundi was admitted to full membership in the United Nations, accords it all the benefits and rights granted to the other Members of this prestigious family.

5. This being the case, the issue of the Constitution raised in the report is a matter of Burundi's sovereignty, absent the existence of an *erga omnes* Security Council resolution that would clearly establish the number of terms for which leaders of all Member States might hold office, as well as a standard constitutional document that all States of the world had to adopt and respect.

6. In the absence of such a resolution, the United Nations should recall the two sacrosanct principles which are integral to its basic instruments: the sovereign equality of States and the self-determination of peoples. It was on the basis of these two principles that Burundi joined the United Nations community, after having endured nearly 70 years of foreign occupation and the humiliation that accompanied it.

7. The Government of Burundi would also like to recall that the Security Council is governed by rules that apply equally and equitably to all States Members of the United Nations. The use of double standards should cease if this prestigious institution wishes to keep its good reputation.

8. It was for these reasons that the Government of the Republic of Burundi rejected Security Council resolution 2303 (2016), which was adopted under Chapter VI of the Charter of the United Nations following a flagrant lack of prior consultations, which are essential if such a resolution is to be implemented. The United Nations should consider Burundi a sovereign State, as it does its other Members, and should treat it accordingly. If no State is above the rules of the United Nations, then no State can be treated as though it were beneath them either.

9. The Government of the Republic of Burundi considers the reference to the Office of the United Nations High Commissioner for Human Rights to be inappropriate, since to date there has been no follow-up to the draft host country agreement which is to govern its relationship with the Office of the High Commissioner, and which was sent to those whom it concerns.

10. In this connection, the Government of the Republic of Burundi calls on the Security Council to be logical. While the Government is waiting to be consulted regarding the appointment of Mr. Benomar's replacement, who will be responsible for negotiating the host country agreement, it seems inopportune to attack the Government of the Republic of Burundi over the issue of the host country agreement with the Office of the Special Adviser to the Secretary-General. Thus the ball is not in the court of the Government of the Republic of Burundi, which is waiting for a response to the question submitted to the Secretary-General.

11. Lastly, the Government of Burundi reaffirms its commitment to continuing its cooperation with the international community, particularly the United Nations, on a basis of mutual respect for the rules that govern Member States, especially those relating to the independence and sovereignty of peoples.

Philippe **Nzobonariba**
Government Secretary General and spokesperson

United Nations S/2017/175

Security Council

Distr.: General
27 February 2017

Original: English

Letter dated 27 February 2017 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the forty-first monthly report of the Director General of the Organization for the Prohibition of Chemical Weapons (OPCW), submitted pursuant to paragraph 12 of Security Council resolution 2118 (2013) (see annex). The report covers the period from 23 January to 22 February 2017.

As before, the situation with regard to the destruction of the chemical weapons production facilities declared by the Syrian Arab Republic remains unchanged, with the destruction of three remaining sites yet to be verified by OPCW. The Syrian Arab Republic has informed the Director General that the prevailing security situation continues to prevent safe access to these sites.

With respect to the initial declaration and subsequent submissions of the Syrian Arab Republic, I reiterate the need for the Government of the Syrian Arab Republic and the OPCW Technical Secretariat to continue to work to resolve all outstanding issues. I welcome the continuing cooperation in this regard, which is essential for further progress.

The use of chemical weapons by any party to the conflict in the Syrian Arab Republic is unacceptable. It constitutes a serious violation of international law and a crime against humanity. Those who use chemical weapons must be held to account in order to deter such actions in the future. Impunity must be stopped.

The OPCW Fact-Finding Mission in the Syrian Arab Republic is continuing its efforts to investigate allegations of the use of chemical weapons, including by studying all available information relating to such allegations. In that regard, I recall that the summary update of the activities carried out by the Fact-Finding Mission and its report were transmitted to me by the Director General and subsequently circulated as a document of the Security Council (see S/2017/45).

The OPCW-United Nations Joint Investigative Mechanism submitted its fifth report to the Security Council (see S/2017/131), providing an update on its status and activities undertaken since its previous report, of October 2016 (see S/2016/888). I, in coordination with the Director General of OPCW, intend to reaffirm to the members of the Security Council my support for the work of the Mechanism so that it can continue to conduct its investigations in a professional, independent and impartial manner.

(*Signed*) António **Guterres**

17-03268 (E) 280217

Please recycle

Annex

[Original: Arabic, Chinese, English, French, Russian and Spanish]

I have the honour to transmit to you my report entitled "Progress in the elimination of the Syrian chemical weapons programme", prepared in accordance with the relevant provisions of OPCW Executive Council decision EC-M-33/DEC.1 and Security Council resolution 2118 (2013), both dated 27 September 2013, for transmission to the Security Council (see enclosure). My report covers the period from 23 January to 22 February 2017 and fulfils the reporting requirements of Executive Council decision EC-M-34/DEC.1, dated 15 November 2013.

(*Signed*) Ahmet **Üzümcü**

Enclosure

[Original: Arabic, Chinese, English, French, Russian and Spanish]

Note by the Director-General

Progress in the elimination of the Syrian chemical weapons programme

Background

1. In accordance with subparagraph 2 (f) of the decision by the Executive Council (hereinafter "the Council") at its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013), the Technical Secretariat (hereinafter "the Secretariat") is to report to the Council on a monthly basis regarding the implementation of that decision. In accordance with paragraph 12 of United Nations Security Council resolution 2118 (2013), the report by the Secretariat is also to be submitted to the Security Council through the Secretary-General.

2. The Council, at its Thirty-Fourth Meeting, adopted a decision entitled "Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities" (EC-M-34/DEC.1, dated 15 November 2013). In paragraph 22 of that decision, the Council decided that the Secretariat should report on its implementation "in conjunction with its reporting required by subparagraph 2 (f) of Council decision EC-M-33/DEC.1".

3. The Council, at its Forty-Eighth Meeting, adopted a decision entitled "Reports of the OPCW Fact-Finding Mission in Syria" (EC-M-48/DEC.1, dated 4 February 2015) noting the Director-General's intent to include reports of the OPCW Fact-Finding Mission (FFM) in Syria, along with information on the Council's discussion thereof, as part of the monthly reporting pursuant to United Nations Security Council resolution 2118 (2013). Similarly, the Council, at its Eighty-First Session, adopted a decision entitled "Report by the Director-General Regarding the Declaration and Related Submissions by the Syrian Arab Republic" (EC-81/DEC.4, dated 23 March 2016), noting the Director-General's intent to provide information on the implementation of that decision.

4. The Council, at its Eighty-Third Session, adopted a decision entitled "OPCW-United Nations Joint Investigative Mechanism Reports on Chemical Weapons Use in the Syrian Arab Republic" (EC-83/DEC.5, dated 11 November 2016). In subparagraph 12 (a) of that decision, the Council decided that the Director-General shall "regularly inform the Council on the implementation of this decision and incorporate information regarding the implementation of this decision into his monthly reporting to the United Nations Security Council, through the United Nations Secretary-General, regarding EC-M-33/DEC.1".

5. This, the forty-first monthly report, is therefore submitted in accordance with the aforementioned Council decisions and includes information relevant to the period from 23 January 2017 to 22 February 2017.

Progress achieved by the Syrian Arab Republic in meeting the requirements of Executive Council decisions EC-M-33/DEC.1 and EC-M-34/DEC.1

6. Progress by the Syrian Arab Republic is as follows:

(a) The Secretariat has verified the destruction of 24 of the 27 chemical weapons production facilities (CWPFs) declared by the Syrian Arab Republic. The Secretariat was informed by the Syrian Arab Republic that the security situation still continues to preclude safe access both for the Syrian Arab Republic to destroy the remaining aircraft hangar, which stands ready to accept the explosive charges, and for the Secretariat to confirm the condition of the two stationary above-ground facilities.

(b) On 15 February 2017, the Syrian Arab Republic submitted to the Council its thirty-ninth monthly report (EC-84/P/NAT.7, dated 15 February 2017) regarding activities on its territory related to the destruction of its CWPFs, as required by paragraph 19 of EC-M-34/DEC.1.

Progress in the elimination of Syrian chemical weapons by States Parties hosting destruction activities

7. As reported previously, all of the chemicals declared by the Syrian Arab Republic that were removed from its territory in 2014 have now been destroyed.

Activities carried out by the Secretariat with respect to Executive Council decision EC-81/DEC.4

8. In decision EC-81/DEC.4, the Council requested the Secretariat, through the Declaration Assessment Team (DAT), to continue its efforts, on an expedited basis, to verify the accuracy and completeness of the Syrian Arab Republic's declaration and related disclosures, and to address the gaps, inconsistencies, and discrepancies it identified in the "Report on the Work of the Declaration Assessment Team Regarding the Declaration and Related Submissions by the Syrian Arab Republic" (EC-81/HP/DG.1, dated 22 February 2016). The Council also requested the Director-General, in parallel with the efforts of the DAT, to report to the Council, at all future sessions, any unresolved issues regarding the Syrian declaration and related submissions.

9. As presented during the briefing to States Parties on 15 February 2017, the DAT continued its work through an exchange of letters with the Syrian Arab Republic.

10. As reported previously, in a letter dated 17 January 2017, the Secretariat shared with the Syrian Arab Republic a matrix setting out, in a summarised form, all outstanding issues related to the Syrian declaration and their current status. This letter also identified a number of documents which, together with other documents listed in previous correspondence, would help to address certain gaps and inconsistencies. The DAT is still awaiting a response from the Syrian Arab Republic.

Other activities carried out by the Secretariat with respect to the Syrian Arab Republic

11. The Steering Committee, which is comprised of representatives from the OPCW, the United Nations Office for Project Services (UNOPS), and the Syrian Arab Republic, will meet in Beirut, Lebanon, on 23 February 2017 to discuss an extension of the support services provided by UNOPS pursuant to the tripartite agreement between UNOPS, the OPCW, and the Government of the Syrian Arab Republic and the contribution agreement between the OPCW and UNOPS, as well as other matters related to the implementation of the activities set out in these agreements.

12. As requested by the Council at its Seventy-Fifth Session (paragraph 7.12 of EC-75/2, dated 7 March 2014), the Secretariat, on behalf of the Director-General, has continued to brief States Parties in The Hague on its activities.

13. As at the cut-off date of this report, one OPCW staff member was deployed as part of the OPCW Mission in the Syrian Arab Republic.

Supplementary resources

14. As previously reported, a Trust Fund for Syria Missions was established in November 2015 to support the FFM and other remaining activities, such as those of the DAT. As at the cut-off date of this report, contribution agreements totalling EUR 7.9 million had been concluded with Canada, Chile, Finland, France, Germany, Monaco, New Zealand, the Republic of Korea, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America, and the European Union.

Activities carried out with respect to the OPCW Fact-Finding Mission in Syria

15. Guided by Council decisions EC-M-48/DEC.1 and EC-M-50/DEC.1 (dated 23 November 2015), as well as United Nations Security Council resolution 2209 (2015), the FFM continued to study all available information relating to the allegations of use of chemical weapons in the Syrian Arab Republic.

16. As reported previously, by letters dated 16 and 29 November 2016, the Syrian Arab Republic requested the FFM to investigate incidents reported to have occurred on 16 September, 31 October, 3 November, and 13 November 2016 in the area of Aleppo. During the reporting period, the FFM continued its work to translate and analyse the records of the 16 interviews conducted during its deployment in December 2016, along with the associated documentation. The samples provided by the Russian Federation to the Syrian Arab Republic and recovered by a team of OPCW experts from the Syrian Scientific Studies and Research Centre (SSRC) at the beginning of January 2017 were sent to two OPCW designated laboratories for analysis. The team will continue to work with the National Authority of the Syrian Arab Republic to gather more information.

17. As presented during the briefing to States Parties on 15 February 2017, eight incidents of alleged use of chemical weapons have been recorded since the beginning of 2017 and are currently being analysed.

18. The activities being carried out by the FFM focus mainly on incidents reported to have occurred in Eastern Aleppo City, western Rif Aleppo, South Homs and North Hama, Rif Damashq, and Idlib. During the reporting period, the FFM team interviewed a number of witnesses related to different allegations. The FFM team continues to face difficulties accessing potential witnesses and will continue to gather additional evidence.

Activities carried out by the Secretariat with respect to Executive Council decision EC-83/DEC.5

19. As explained by the Director-General during the briefing to States Parties on 15 February 2017, the Syrian Arab Republic was notified on 19 January 2017 of a forthcoming inspection at the SSRC, in accordance with paragraph 11 of Council decision EC-83/DEC.5. The deployment, which was cleared by the United Nations Department of Safety and Security, was postponed until further notice on 27 January 2017 following a telephone call and the receipt of a note verbale from the Syrian Arab Republic stating that the Syrian National Authority was unable to receive the team of inspectors due to "safety and security matters".

20. On 30 January 2017, the Director-General briefed the Bureau of the Council regarding the postponement of the planned inspection of the SSRC facilities, and shared a non-paper prepared by the Secretariat which summarised the issues and actions taken to date. The Director-General consulted with the Syrian Arab Republic, including with H.E. Dr Faisal Mekdad, Deputy Foreign Minister of the Syrian Arab Republic, in relation to the postponed inspection. The Director-General again briefed the Bureau of the Council and provided an updated non-paper on the matter on 7 February 2017.

21. The Syrian Arab Republic informed the Secretariat, by note verbale dated 10 February 2017, that new dates would be proposed for the inspection, depending on the security assessment. The inspection team remains on standby pending new agreed dates for the inspection. The Secretariat will continue to consult with the Syrian Arab Republic in order to help it fulfil its obligations under EC-83/DEC.5.

Conclusion

22. The main focus of the future activities of the OPCW Mission in the Syrian Arab Republic will be on the implementation of Council decisions EC-83/DEC.5 and EC-81/DEC.4 and on the activities of the FFM, as well as on the destruction and verification of the remaining aircraft hangar, confirmation of the status of the two stationary above-ground facilities, and annual inspections of the underground structures already verified as destroyed.

United Nations S/2017/176

Security Council

Distr.: General
27 February 2017

Original: English

Letter dated 24 February 2017 from the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

Attached hereto are the work programmes of the Security Council Committee established pursuant to paragraph 6 of resolution 1373 (2001) (see annex) and its Executive Directorate (see enclosure) for the period from 1 January to 31 December 2017.

The activities of the Committee and the Executive Directorate will proceed pursuant to the relevant provisions of Security Council resolutions 1373 (2001), 1535 (2004), 1566 (2004), 1624 (2005), 1805 (2008), 1963 (2010), 2129 (2013), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015) and 2253 (2015) and the Council's relevant presidential statements.

The Committee, with the assistance of its Executive Directorate, will continue to work with Member States on the implementation of the above-mentioned resolutions, guided by the principles of cooperation, transparency, even-handedness and consistency of approach. The Committee, assisted by the Executive Directorate, will remain focused on monitoring and promoting the implementation by Member States of resolution 1373 (2001) and on taking practical measures aimed at facilitating delivery of technical assistance, as appropriate. The Committee, assisted the Directorate, will continue to pay close attention to the implementation of resolutions 1624 (2005) and 2178 (2014) in its dialogue with Member States. The Committee, assisted by the Directorate, will also continue to contribute to the implementation of the United Nations Global Counter-Terrorism Strategy.

The Committee welcomes the support it receives from Member States, the United Nations Secretariat and international, regional and subregional organizations, and appreciates the assistance of its Executive Directorate.

The Committee would appreciate it if the present letter, together with its annex and enclosure, could be brought to the attention of the members of the Council and issued as a document of the Council.

(*Signed*) Amr Abdellatif **Aboulatta**
Chair
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

17-03378 (E) 070317

Please recycle

Enclosure

Work programme of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism for 2017

I. Introduction

1. The overarching goal of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) is to ensure the full implementation of Security Council resolution 1373 (2001). The Committee is further directed to address in its dialogue with Member States their efforts to implement Council resolution 1624 (2005). The Committee is also requested or encouraged to take up additional work under Council resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and relevant Council presidential statements, including the statements of 29 May 2015 (S/PRST/2015/11) and of 11 May 2016 (S/PRST/2016/6).

2. Security Council resolutions 1373 (2001), 1624 (2005), 1963 (2010), 2129 (2013), 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and all other relevant resolutions and presidential statements of the Council and decisions of the Committee constitute the guidance for the work of the Committee and its Executive Directorate.

II. Work programme

3. The Committee will continue to pursue a strategic and transparent approach to its work and, with the support of its Executive Directorate and the Secretariat, will continue to streamline its working methods, as appropriate, in order to achieve the priority objectives set forth below.

A. Monitoring, promoting and facilitating the implementation of Security Council resolutions 1373 (2001) and 1624 (2005) and the tasks conferred by resolutions 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017)

4. The Committee and its Executive Directorate will collaborate actively with Member States to monitor, promote and facilitate the implementation of resolutions 1373 (2001) and 1624 (2005) and to implement the tasks conferred by resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). In this regard, the Council continues to stress the need for the Committee and the Executive Directorate to conduct in-depth analysis of the strengths and gaps of Member States with a view to enhancing the Committee's ability to identify good practices and priority recommendations for Member States and priority needs for capacity-building assistance to be delivered by implementing agencies and partners

with the aim of helping States to achieve the full and effective implementation of the relevant resolutions.

5. The Committee will continue to take stock of the implementation efforts of Member States with respect to resolutions 1373 (2001) and 1624 (2005) through the use of the two assessment tools, the overview of implementation assessment and the detailed implementation survey, taking into account the requirements set forth in resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). The Committee will also continue to identify the challenges and needs of each Member State and region, facilitate the delivery of targeted technical assistance and promote good practices, and will continue to conduct country and regional visits, both visits to engage in high-level advocacy and visits that are technical assessment in nature.

6. The Committee will consider information provided by the Executive Directorate regarding its progress in updating the technical guide to the implementation of resolutions 1373 (2001) and 1624 (2005), while also taking into account the requirements set forth in resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), in order to reflect the additional elements prescribed in these resolutions.

7. The Committee intends to take stock, on the basis of information provided by the Executive Directorate, of the implementation of the recommendations identified in its visit reports in order to assess the progress made by Member States and the effectiveness of their overall counter-terrorism measures, including the capacity-building framework and the assistance provided by relevant partners.

8. The Committee will consider information provided by the Executive Directorate concerning its work on the implementation of the relevant provisions of resolutions 2133 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), including on: (a) the links between transnational organized crime and terrorism; (b) the threats posed by terrorists' access to weapons and the supply and trafficking of weapons to terrorists; (c) gender issues in counter-terrorism; (d) preventing and suppressing financing of terrorist groups, including Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities; (e) kidnapping for ransom; (f) aviation security; (g) prosecution; (h) rehabilitation and integration; (i) promoting international law enforcement and judicial cooperation in counter-terrorism matters; and (j) trafficking in persons for terrorist purposes.

9. The Committee, assisted by the Executive Directorate, will invite relevant officials of Member States and relevant international, regional and subregional organizations to address the Committee's plenary meetings on thematic or regional issues relating to the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the requirements of resolutions 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017).

10. The Committee will request the Executive Directorate, in close cooperation with relevant entities of the Counter-Terrorism Implementation Task Force, to hold periodic briefings for the wider membership on thematic or regional aspects of the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the requirements of resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017).

11. The Committee will continue to organize special meetings and events on themes and issues of common concern and interest to Member States with a view to maximizing the impact of the resolutions and decisions of the Security Council and sustaining the commitment of the international community to combat terrorism in all its forms and manifestations. The Committee will consider necessary follow-up activities, based on proposals made by the Executive Directorate upon review of the outcomes of such meetings and events.

12. The Committee, acting in close cooperation with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1540 (2004), and, in accordance with its mandate, will pay special attention to States concerning which information on the implementation of relevant resolutions is lacking and discuss how best to enhance its dialogue with those States.

13. The Counter-Terrorism Committee will report to the Security Council orally, through its Chair, on the overall work of the Committee and the Executive Directorate, including on their work pursuant to resolutions 1373 (2001), 1624 (2005), 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and, as appropriate, in conjunction with the reports of the Chairs of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Security Council Committee established pursuant to resolution 1540 (2004).

14. Pursuant to resolution 2129 (2013), the Counter-Terrorism Committee, assisted by the Executive Directorate, will continue to work closely with Member States and regional and subregional organizations, including during country visits, on the development of comprehensive and integrated counter-terrorism strategies and on the identification of available practices, elements and good standards.

15. The Committee, assisted by its Executive Directorate, will continue to work with its partners in the Global Counter-Terrorism Research Network to analyse emerging terrorism issues, trends and developments and to identify good practices in the implementation of resolutions 1373 (2001), 1624 (2005), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and other relevant decisions of the Council.

16. The Committee will further consider information provided by the Executive Directorate on its engagement and enhancement of partnerships with international, regional and subregional organizations, development entities, civil society, academia and other entities in conducting research and information-gathering and

identifying good practices in support of the Committee's efforts to promote the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017).

17. The Committee will continue to call for the closest possible cooperation among the expert groups of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Security Council Committee established pursuant to resolution 1540 (2004), as well as the Counter-Terrorism Implementation Task Force Office, including, as appropriate, on enhanced and systematized information-sharing, coordination of visits and participation in workshops; the facilitation of technical assistance; and relations with international, regional and subregional organizations, and will consider information provided by the Executive Directorate on the implementation of common strategies.

18. The Counter-Terrorism Committee will consider information and analysis provided by the Executive Directorate on the promotion of international cooperation, the identification of emerging issues, trends and developments related to resolutions 1373 (2001), 1624 (2005), 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and practical ways for Member States to implement the requirements of those resolutions

19. The Committee will consider a comprehensive approach to preventing the spread of terrorism and the incitement of terrorist acts motivated by violent extremism and intolerance, consistent with resolutions 1373 (2001), 1624 (2005), 2133 (2014), 2178 (2014), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). Pursuant to the presidential statement of 11 May 2016 (S/PRST/2016/6), the Committee will continue its ongoing efforts in preparation of the "comprehensive international framework" as mandated by the presidential statement.

20. The Committee will place special emphasis on the more urgent need to counter the most concerning terrorist trends the world faces today in the following areas: incitement to commit a terrorist act, radicalization and recruitment of terrorists, including foreign terrorist fighters, generating funding to support terrorist activities, planning for and conducting terrorist acts, and trafficking in persons for terrorist purposes. To this effect, the Committee will continue to address terrorists' increased use of and reliance on information and communications technology, in particular the Internet, to conduct the above-mentioned terrorist activities. Moreover, the Committee will also continue to address the nexus between terrorists and transnational organized crime, which has increased in some cases and some regions, in accordance with Security Council resolution 2195 (2014).

21. The Committee will consider information and proposals provided by the Executive Directorate on its activities to enhance its dialogue and information-sharing with special envoys, the Department of Political Affairs and the Department of Peacekeeping Operations, including during the planning stages of missions, as appropriate, in relation to the implementation of resolutions 1373 (2001) and 1624 (2005) and other relevant Council resolutions.

22. On the basis of information provided by the Executive Directorate, the Committee will submit to the Security Council a report on the Executive Directorate's work, for consideration by the Council in the context of the renewal of the mandate of the Executive Directorate. In accordance with Council resolution 2129 (2013), the Committee will submit the report to the Council prior to the expiration of the Executive Directorate's mandate on 31 December 2017.

B. Facilitating the delivery of technical assistance to States

23. The Committee will continue to pay close attention to strengthening the role of the Executive Directorate in facilitating the delivery of technical assistance to Member States by providing its analysis and recommendations for the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). In this regard, the Committee intends to consider, on the basis of proposals of the Executive Directorate, the most effective ways to assess the impact of its donor-supported project activity linked to building capacity and cooperation pursuant to Security Council resolution 2129 (2013).

24. The Committee also partners with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Analytical Support and Sanctions Monitoring Team on the implementation of relevant Council resolutions. The Counter-Terrorism Committee, on the basis of information provided by the Executive Directorate, will conduct an annual review and forecast of activities to facilitate the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2129 (2013), 2133 (2014), 2170 (2014), 2178 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and cooperation in this area.

25. The Committee, assisted by the Executive Directorate, will continue its close cooperation with the relevant entities of the Counter-Terrorism Implementation Task Force, relevant Council subsidiary bodies and relevant international, regional and subregional organizations, aimed at enhancing the capacity of Member States to fully implement resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2129 (2013), 2133 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), and at facilitating the delivery of technical assistance, specifically by promoting engagement between providers of capacity-building assistance and recipients, as well as sharing information, as appropriate, with relevant United Nations counter-terrorism bodies and relevant international, regional and subregional organizations.

26. The Committee, assisted by the Executive Directorate and in close cooperation with the Counter-Terrorism Implementation Task Force Office and the United Nations Counter-Terrorism Centre, will identify partners that are willing and able to provide technical assistance to States, upon their request, bearing in mind the need for effective coordination within the Task Force framework in the facilitation and delivery of technical assistance, particularly to States of the most-affected regions,

including through the capacity-building implementation plan for countering the flow of foreign terrorist fighters, as jointly proposed by the Task Force and the Centre.

C. Maintaining dialogue with States on the implementation of resolution 1624 (2005)

27. The Committee will consider information provided by the Executive Directorate on its ongoing engagement and dialogue with Member States regarding the implementation of resolution 1624 (2005) and its work to support them in developing, in accordance with their obligations under international law, national strategies that include countering the incitement of terrorist acts motivated by violent extremism, which can be conducive to terrorism, and intolerance, and to facilitate technical assistance by providing information and assessments to capacity-building providers for the effective implementation of the resolution, bearing in mind the aims of the initiative of the Secretary-General's Plan of Action to Prevent Violent Extremism (see A/70/674).

28. The Committee will continue to encourage States that have not yet submitted a report on their implementation of resolution 1624 (2005) to do so. The Committee will also guide and support the Executive Directorate in its efforts to achieve full implementation of the Committee's plan of action, including updates and relevant good practices for the implementation of resolution 1624 (2005). The Committee will ensure coordination and complementarity with the work being undertaken to prevent and counter violent extremism, which can be conducive to terrorism, including by the Counter-Terrorism Implementation Task Force Office, which leads the work of the United Nations in that regard, including through its own work on resolution 1624 (2005) and on resolution 2178 (2014) on countering violent extremism and in consideration of the Secretary-General's Plan of Action to Prevent Violent Extremism.

D. Implementing the United Nations Global Counter-Terrorism Strategy

29. On the basis of regular briefings and information from the participation of the Executive Directorate in activities within the framework of the Counter-Terrorism Implementation Task Force, the Committee will continue its discussions on issues relating to implementation of the United Nations Global Counter-Terrorism Strategy, bearing in mind General Assembly resolution 70/291.

E. Promoting respect for human rights in the context of counter-terrorism

30. The Committee will consider information from the Executive Directorate regarding progress in the further development of activities in the area of promoting respect for human rights in the context of counter-terrorism in order to ensure that all human rights and rule of law issues relevant to the implementation of resolutions 1373 (2001), 1624 (2005) and 2178 (2014) and other relevant resolutions are addressed consistently and even-handedly, including, as appropriate, during country visits organized with the consent of the visited Member State and in the delivery of technical assistance.

III. Implementing the communications strategy

31. The Committee will continue to implement the revised communications strategy aimed at promoting the visibility of the role and activities of the Committee and its Executive Directorate, including ways to maximize the impact of the updated global surveys of implementation by Member States of resolutions 1373 (2001) and 1624 (2005) and the series of reports on the implementation of resolutions 2178 (2014) and 2253 (2015). In this regard, the Committee will pay special attention to: (a) advocacy and communication efforts pertaining to the continued implementation of resolution 2178 (2014) on foreign terrorist fighters and the Committee's guiding principles on stemming their flow; (b) special meetings and open briefings of the Committee; (c) high-level advocacy visits of the Committee, its Chair and the Executive Director of the Executive Directorate; and (d) efforts to counter violent extremism and incitement to violence, as called for in resolutions 1624 (2005) and 2178 (2014).

Appendix

Work programme of the Counter-Terrorism Committee Executive Directorate for 2017

I. Introduction

1. The work programme of the Counter-Terrorism Committee Executive Directorate for the period from 1 January to 31 December 2017 has been prepared in accordance with the relevant provisions of the report of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) on its revitalization (S/2004/124) and takes into account the work programme of the Committee for the same period, as well as the tasks conferred by the Security Council in its relevant resolutions, including resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and relevant Council presidential statements, including the statements of 29 May 2015 (S/PRST/2015/11) and 11 May 2016 (S/PRST/2016/6).

2. The Executive Directorate will continue to support the Committee in its efforts to pursue a strategic and transparent approach to its work and to streamline its working methods, as appropriate, in order to achieve its priority objectives in the areas defined in the Committee's work programme.

3. The Executive Directorate will continue to report regularly to the Committee on its work, including in its mission reports, monthly reports and annual reports, and to respond to any additional requests made during the reporting period.

II. Work programme

A. Monitoring, promoting and facilitating the implementation of Security Council resolutions 1373 (2001) and 1624 (2005) and the tasks conferred by resolutions 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017)

4. The Executive Directorate will continue to support the Committee and collaborate actively with Member States to monitor, promote and facilitate the implementation of resolutions 1373 (2001) and 1624 (2005) and to implement the tasks set forth in resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). The Committee and the Executive Directorate will do so by conducting in-depth analysis of the strengths and gaps of Member States with a view to enhancing the Committee's ability to identify good practices and priority recommendations for Member States and priority needs for capacity-building assistance to be delivered by implementing agencies and partners with the aim of helping States to achieve full and effective implementation of the relevant resolutions.

5. The Executive Directorate will continue to assist the Committee to take stock of efforts by Member States to implement resolutions 1373 (2001) and 1624 (2005)

through the use of two assessment tools (the overview of implementation assessment and the detailed implementation survey), taking into account the requirements set forth in resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017); to identify the challenges and needs of each Member State and region; to facilitate the delivery of targeted technical assistance and promote good practices in that regard; and to conduct country and regional visits, both visits to engage in high-level advocacy and visits that are technical assessment in nature.

6. The Executive Directorate will provide information to the Committee on its progress in updating the technical guide to the implementation of resolutions 1373 (2001) and 1624 (2005), while also taking into account the requirements set forth in resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), in order to reflect the additional elements of those resolutions.

7. The Executive Directorate will assist the Committee to take stock of the implementation of the recommendations identified in visit reports in order to assess the progress made by Member States and the effectiveness of overall counter-terrorism measures, including the capacity-building framework and the assistance provided by relevant partners.

8. The Executive Directorate will provide information to the Committee, for its consideration, on the implementation of the relevant provisions of resolutions 2133 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), including on: (a) the links between transnational organized crime and terrorism; (b) the threats posed by terrorists' access to weapons and the supply and trafficking of weapons to terrorists; (c) gender issues in counter-terrorism; (d) preventing and suppressing financing of terrorist groups, including Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities; (e) kidnapping for ransom; (f) aviation security; (g) prosecution; (h) rehabilitation and integration; (i) promoting international law enforcement and judicial cooperation in counter-terrorism matters; and (j) trafficking in persons for terrorist purposes.

9. The Executive Directorate will assist the Committee by inviting relevant officials of Member States and relevant international, regional and subregional organizations to address the Committee on thematic or regional issues relevant to the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the requirements of resolutions 2133 (2014), 2178 (2014), 2185 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017).

10. The Executive Directorate will work in close cooperation with relevant entities of the Counter-Terrorism Implementation Task Force to hold periodic briefings for Member States on thematic or regional aspects of the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the requirements of resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017).

11. The Executive Directorate will assist the Committee by organizing special meetings and events on themes and issues of common concern and interest to Member States, with a view to maximizing the impact of the resolutions and decisions of the Security Council and sustaining the commitment of the international community to combat terrorism in all its forms and manifestations. The Executive Directorate will submit proposals to the Committee for its consideration on necessary follow-up activities, based on the review of the outcomes of such meetings and events.

12. The Executive Directorate, acting in close cooperation with the expert groups of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1540 (2004), and in accordance with its mandate, will continue to support the work of the Committee by paying special attention to Member States for which information on the implementation of relevant resolutions is lacking and to discuss how best to enhance the Committee's dialogue with those States.

13. The Executive Directorate will continue to assist the Counter-Terrorism Committee to report orally, through its Chair, to the Security Council on the overall status of the work of the Committee and the Executive Directorate, including on their work pursuant to resolutions 1373 (2001), 1624 (2005), 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and, as appropriate, in conjunction with the reports of the Chairs of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Security Council Committee established pursuant to resolution 1540 (2004).

14. Pursuant to resolution 2129 (2013), the Executive Directorate will continue to assist the Counter-Terrorism Committee by working closely with Member States and regional and subregional organizations, including during country visits, on the development of comprehensive and integrated counter-terrorism strategies and on the identification of available practices, elements and good standards.

15. The Executive Directorate will continue to cooperate and work as closely as possible with its partners in the Global Counter-Terrorism Research Network to analyse emerging terrorism issues, trends and developments and to identify good practices in the implementation of resolutions 1373 (2001), 1624 (2005), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017) and other relevant decisions of the Council.

16. The Executive Directorate will submit to the Committee information on its engagement and enhancement of partnerships with international, regional and subregional organizations, development entities, civil society, academia and other entities in conducting research and information-gathering and identifying good practices in support of the Committee's efforts to promote the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017).

17. The Executive Directorate will continue to cooperate as closely as possible with the expert groups of the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Committee established pursuant to resolution 1540 (2004), as well as the Counter-Terrorism Implementation Task Force Office, including, as appropriate, on enhanced and systematized information-sharing, coordination of visits and participation in workshops; facilitation of technical assistance; and relations with international, regional and subregional organizations, and will submit to the Committee information on the implementation of common strategies.

18. The Executive Directorate will submit to the Committee, for its consideration, proposals on ways to promote international cooperation and, in accordance with resolution 2129 (2013), to identify emerging issues, trends and developments related to resolutions 1373 (2001) and 1624 (2005), to address the issues, trends and developments specified in resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), and to identify practical ways for Member States to implement the requirements of those resolutions.

19. The Executive Directorate will continue to assist the Committee in its further consideration of a comprehensive approach to preventing the spread of terrorism and the incitement of terrorist acts motivated by violent extremism and intolerance, consistent with resolutions 1373 (2001), 1624 (2005), 2133 (2014), 2178 (2014), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). Pursuant to the presidential statement of 11 May 2016 (S/PRST/2016/6), the Executive Directorate will present to the Committee for its consideration a proposal for a "comprehensive international framework" as mandated by the presidential statement.

20. The Executive Directorate will continue to assist the Committee to address the more urgent need to counter the most concerning terrorist trends the world faces today in the following areas: incitement to commit a terrorist act, radicalization and recruitment of terrorists, including foreign terrorist fighters, generating funding to support terrorist activities, planning for and conducting terrorist acts, and trafficking in persons for terrorist purposes, as well as terrorists' increased use of and reliance on information and communications technology, in particular the Internet, to conduct the above-mentioned terrorist activities and the nexus between terrorists and transnational organized crime, which has increased in some cases and some regions, in accordance with resolution 2195 (2014).

21. The Executive Directorate will submit to the Committee information and proposals on its activities to enhance its dialogue and information-sharing activities with special envoys, the Department of Political Affairs and the Department of Peacekeeping Operations, including during the planning stages of missions, as appropriate, in relation to the implementation of resolutions 1373 (2001) and 1624 (2005) and other relevant Council resolutions.

22. The Executive Directorate will submit a report on its work to the Committee for its consideration and that of the Security Council on the mandate renewal of the Executive Directorate, prior to the expiration of the mandate of the Directorate on 31 December 2017 in accordance with Council resolution 2129 (2013).

B. Facilitating the delivery of technical assistance to States

23. The Executive Directorate will continue to pay close attention to strengthening its role to assist the Committee to facilitate the delivery of technical assistance to Member States by providing its analysis and recommendations for the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2129 (2013), 2133 (2014), 2178 (2014), 2195 (2014), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017). In that context, the Executive Directorate will submit to the Committee, for its consideration, proposals on the most effective ways to assess the impact of its donor-supported project activity linked to building capacity and cooperation pursuant to resolution 2129 (2013).

24. The Executive Directorate will assist the Committee to cooperate with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) and the Analytical Support and Sanctions Monitoring Team on the implementation of the relevant Council resolutions. The Executive Directorate will also submit to the Committee information for its annual review and forecast of activities in order to facilitate the implementation of resolutions 1373 (2001) and 1624 (2005), taking into account the new requirements of resolutions 2129 (2013), 2133 (2014), 2170 (2014), 2178 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), and cooperation in this area.

25. The Executive Directorate will continue to cooperate closely with the relevant entities of the Counter-Terrorism Implementation Task Force, relevant expert groups of the Security Council subsidiary bodies and relevant international, regional and subregional organizations, aimed at enhancing the capacity of Member States to fully implement resolutions 1373 (2001) and 1624 (2005) and the new requirements of resolutions 2129 (2013), 2133 (2014), 2170 (2014), 2178 (2014), 2195 (2014), 2199 (2015), 2220 (2015), 2242 (2015), 2253 (2015), 2309 (2016), 2322 (2016), 2331 (2016) and 2341 (2017), and at facilitating the delivery of technical assistance, specifically by promoting engagement between providers and recipients of capacity-building assistance and by sharing information, as appropriate, with relevant United Nations counter-terrorism bodies and international, regional and subregional organizations.

26. The Executive Directorate will continue to cooperate closely with the Counter-Terrorism Implementation Task Force Office and the United Nations Counter-Terrorism Centre to identify partners that are willing and able to provide technical assistance to States, upon their request, bearing in mind the need for effective coordination within the framework of the Implementation Task Force in the facilitation and delivery of technical assistance, particularly to States of the most-affected regions, including through the capacity-building implementation plan for countering the flow of foreign terrorist fighters, as jointly proposed by the Task Force, the Centre and the Executive Directorate.

C. Maintaining dialogue with States on the implementation of resolution 1624 (2005)

27. The Executive Directorate will continue to submit information to the Committee on its ongoing engagement and dialogue with Member States regarding

the implementation of resolution 1624 (2005) and its work to support them in developing, in accordance with their obligations under international law, strategies that include countering the incitement of terrorist acts motivated by violent extremism and intolerance and to facilitate technical assistance for the effective implementation of the resolution, bearing in mind the aims of the initiative of the Secretary-General's Plan of Action to Prevent Violent Extremism (see A/70/674).

28. The Executive Directorate will continue to provide information to the Committee on its efforts to work with Member States that have not yet submitted a report on their implementation of resolution 1624 (2005) and to achieve the full implementation of the Committee's plan of action, including its updates and relevant good practices for the implementation of resolution 1624 (2005). The Executive Directorate will continue to assist the Committee by ensuring coordination and complementarity with the work being undertaken to prevent and counter violent extremism, which can be conducive to terrorism, including by the Counter-Terrorism Implementation Task Force Office, which leads the work of the United Nations in that regard, including through its own work on resolution 1624 (2005) and on resolution 2178 (2014) on countering violent extremism and in consideration of the Secretary-General's Plan of Action to Prevent Violent Extremism.

D. Implementing the United Nations Global Counter-Terrorism Strategy

29. The Executive Directorate will continue to provide information and regular briefings to the Committee on the Executive Directorate's participation in the activities within the framework of the Counter-Terrorism Implementation Task Force, on issues relating to implementation of the United Nations Global Counter-Terrorism Strategy, bearing in mind General Assembly resolution 70/291.

E. Promoting respect for human rights in the context of counter-terrorism

30. The Executive Directorate will submit to the Committee information on the further development of activities in the area of human rights in the context of counter-terrorism and activities to ensure that all human rights and rule of law issues relevant to the implementation of resolutions 1373 (2001), 1624 (2005) and 2178 (2014) and other relevant resolutions are addressed consistently and even-handedly, including, as appropriate, during country visits organized with the consent of the visited Member State and within the framework of technical assistance delivery.

III. Implementing the communications strategy

31. The Executive Directorate will submit to the Committee information on the implementation of the communications strategy aimed at promoting the visibility of the role and activities of the Committee and the Executive Directorate, including ways to maximize the impact of the updated global surveys of implementation by Member States of resolutions 1373 (2001) and 1624 (2005) and the series of reports on the implementation of resolutions 2178 (2014) and 2253 (2015). In that regard, the Executive Directorate will assist the efforts of the Committee to pay special attention to: (a) advocacy and communication efforts pertaining to the continued

implementation of resolution 2178 (2014) on foreign terrorist fighters and the Committee's guiding principles on stemming their flow; (b) special meetings and open briefings of the Committee; (c) high-level advocacy visits of the Committee, its Chair and the Executive Director of the Executive Directorate; and (d) efforts to counter violent extremism and incitement to violence, as called for in resolutions 1624 (2005) and 2178 (2014).

United Nations A/71/813–S/2017/177

General Assembly
Security Council

Distr.: General
27 February 2017

Original: English

General Assembly
Seventy-first session
Agenda item 31
Prevention of armed conflict

Security Council
Seventy-second year

Letter dated 25 February 2017 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Upon the instructions of my Government, I am transmitting herewith the statement of the Ministry of Foreign Affairs of the Republic of Armenia, dated 25 February 2017, on the incursion attempt by the Azerbaijani side on the line of contact between Azerbaijan and Artsakh (see annex).

I kindly request that the present letter and its annex be circulated as a document of the General Assembly, under agenda item 31, and of the Security Council.

(*Signed*) Zohrab **Mnatsakanyan**
Ambassador
Permanent Representative

17-03288 (E) 280217

Please recycle

Annex to the letter dated 25 February 2017 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs

25 February 2017

In defiance of the calls of the international community and the demands of the Co-Chairs of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group to strictly adhere to the 1994-1995 ceasefire agreements and to refrain from the use of force and the threat of use of force, the incursion attempt by the Azerbaijani side last night on the line of contact between Azerbaijan and Artsakh is another blow by Baku to the efforts by Armenia and the Co-Chairs of the OSCE Minsk Group towards the peaceful settlement.

While continuing attempts to undermine the agreements reached in Vienna and Saint Petersburg on the creation of conducive conditions for the advancement of the negotiation process, Baku intentionally escalates the situation and initiates new provocations.

We once again draw the attention of the international community and, first and foremost, the Co-Chairs of the OSCE Minsk Group to the strict necessity to sober up Baku and to bring it to the reality.

United Nations A/71/814–S/2017/178

General Assembly
Security Council

Distr.: General
28 February 2017

Original: English

General Assembly
Seventy-first session
Agenda item 32
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Seventy-second year

Identical letters dated 25 February 2017 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith the fourth quarterly report (for the period October-December 2016) of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia (see annex).*

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 32, and of the Security Council.

(*Signed*) Kaha **Imnadze**
Ambassador
Permanent Representative

* The annex is being circulated in the language of submission only.

17-03365 (E) 080317

Please recycle

Annex to the identical letters dated 25 February 2017 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

[English only]

Fourth quarterly report (October-December 2016) of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia

Contents

		Page
I.	Introduction	3
II.	Freedom from torture and ill-treatment	8
III.	Arbitrary detention	9
IV.	Freedom of movement	11
V.	Right to property	13
VI.	Right to education in the native language	14
VII.	Conclusions	16
VIII.	Appeal to the international community	17

I. Introduction

Aims of the report and methodology applied

1. In January 2015, the Ministry of Foreign Affairs of Georgia began preparing quarterly reports to assess the human rights situation in the occupied regions of Georgia. The Ministry of Foreign Affairs prepared four such reports in 2015. This is the fourth quarterly report of the Ministry of Foreign Affairs for 2016, covering the period from October to December 2016. The Ministry of Foreign Affairs of Georgia will continue to prepare such reports on a quarterly basis. This reporting exercise aims to contribute to the provision of regular and updated information to the international community, to States and to international intergovernmental and non-governmental organizations on the human rights situation in the occupied regions of Georgia.

2. As for the methodology applied, this reporting exercise consolidates and assesses existing information from various open sources, national and international, on violations of human rights in the occupied regions of Georgia. Due to limitations on its length, the report does not aim to present information on all violations of human rights in the occupied regions of Georgia; it aims to consolidate and assess only some of the most well-known examples of violations. The methodology applied does not provide for the conduct of fact-finding visits to the occupied regions of Georgia or for the conduct of interviews. Therefore the methodology applied does not enable this reporting exercise to collect and produce new data on the human rights situation in the occupied regions of Georgia.

Responsibility of the occupying power for human rights violations

3. The territories of two regions of Georgia, Abkhazia, Georgia, and the Tskhinvali Region, Georgia, are occupied by the Russian Federation and the human rights situation in these regions of Georgia remains alarming. The Russian Federation, as the occupying power, exercises effective control over Abkhazia, Georgia, and the Tskhinvali Region, Georgia. These two regions, still remaining under unlawful foreign military occupation, constitute, above all, dangerous "black holes" in terms of holding the human rights violators accountable. The occupying power, exercising effective control, has been preventing numerous international organizations from entering Abkhazia, Georgia, and the Tskhinvali Region, Georgia.

4. During the reporting period, a European Union (EU) statement on the fourteenth consolidated report of the Secretary-General of the Council of Europe on the conflict in Georgia[1] was made at the 1271st meeting of the Committee of Ministers of the Council of Europe.[2] According to the statement, "the human rights situation on the ground remains worrying". It should be emphasized that in the same statement, "[t]he EU calls on the Russian Federation to provide the EU Monitoring

[1] Consolidated report on the conflict in Georgia, Council of Europe (April-September 2016), SG/Inf(2016)37.

[2] European Union statement on the fourteenth consolidated report of the Secretary-General on the conflict in Georgia, 1271st meeting of the Committee of Ministers of the Council of Europe, 16 November 2016.

Mission (EUMM) with access to the Georgian regions." According to the statement, "[t]he EU regrets that the Secretariat delegation and the Council of Europe Human Rights Commissioner have not been granted access to the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia. The EU calls on all the concerned parties to facilitate access to the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia for the relevant bodies of the Council of Europe. The Council of Europe should be able to fully and effectively use its instruments to ensure monitoring of the human rights situation in all conflict affected areas and for the benefit of all persons in need of human rights protection. No obstacles should be created to the work of international partners in this field".[3]

5. During the reporting period, a statement of the Group of Friends of Georgia on the conflict in Georgia was adopted at the 2016 meeting of the Ministerial Council of the Organization for Security and Cooperation in Europe (OSCE), held in Hamburg on 8 and 9 December 2016. In the statement, the delegations of Canada, Lithuania, Poland, Romania, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America expressed "deep concern over the continuous discrimination against ethnic Georgians residing in the Georgian regions of Abkhazia and South Ossetia" and "condemn[ed] the gross violations of rights related to freedom of movement, residence, property, as well as right to education in one's native language and underline[d] that the placement of artificial obstacles, including barbed and razor wire fences, along the occupation line further aggravates the humanitarian situation on the ground". It should be emphasized that the statement called upon "the Russian Federation to enable access by international human rights monitoring mechanisms to the occupied territories of Georgia".[4]

6. During the reporting period, on 13 October 2016, at the session of the Parliamentary Assembly of the Council of Europe, Mr. Frank-Walter Steinmeier, then Foreign Minister of the Federal Republic of Germany, stated the following: "I support all the Council of Europe's efforts to secure regular access to Crimea for its monitoring bodies to observe the human rights situation. This is about not only Crimea, but South Ossetia, Abkhazia, Transnistria and Nagorno-Karabakh. There should be no blank areas on our continent where human rights are not observed".[5]

7. It should be recalled that on 19 May 2016, during the reporting period of the second quarterly report of the Ministry of Foreign Affairs of Georgia covering the period from April to June 2016, Mr. Giga Otkhozoria, was murdered by so-called "border guards", deployed along the occupation line with Abkhazia. The murder was committed in the village of Khurcha, Zugdidi district, located in the territory

[3] Ibid.

[4] Statement of the Group of Friends of Georgia on the conflict in Georgia, Ministry of Foreign Affairs of Georgia, 9 December 2016, available at www.mfa.gov.ge/News/%E1%83%94%E1%83%A3%E1%83%97%E1%83%9D-%E1%83%A8%E1%83%98-%E1%83%A1%E1%83%90%E1%83%A5%E1%83%90%E1%83%A0%E1%83%97%E1%83%95%E1%83%94%E1%83%9A%E1%83%9D%E1%83%A1-%E1%83%9B%E1%83%94%E1%83%92%E1%83%9D%E1%83%91%E1%83%90%E1%83%A0%E1%83%97%E1%83%90-%E1%83%AF%E1%83%92%E1%83%A3%E1%83%A4%E1%83%98%E1%83%A1-%E1%83%A5%E1%83%95%E1%83%94%E1%83%A7%E1%83%9C%E1%83%94%E1%83%91%E1%83%98%E1%83%A1-%E1%83%94%E1%83%A0%E1%83%97.aspx?lang=en-US.

[5] Parliamentary Assembly of the Council of Europe, 13 October 2016, available at http://assembly.coe.int/Documents/Records/2016/E/1610131000E.htm.

controlled by the Government of Georgia. The murderer of Mr. Giga Otkhozoria has been identified: Mr. Rashid Kanji-Ogli. After committing the murder Mr. Rashid Kanji-Ogli and his accomplices immediately fled to the occupied territory of Abkhazia. In May 2016, the Ministry of Foreign Affairs of Georgia issued a statement "concerning the fact of murder committed in the village of Khurcha, Zugdidi District, on 19 May 2016". According to the statement "this criminal act once again demonstrates the highly alarming situation in the occupied region of Abkhazia, Georgia, and the full responsibility for it lies with the Russian Federation, as the power in effective control of the region".[6] In May 2016, the Prosecutor's Office of Georgia filed charges against Mr. Rashid Kanji-Ogli for the premeditated murder of Mr. Giga Otkhozoria and criminal prosecution was launched under the Criminal Code of Georgia.[7] In July 2016, Mr. Khajimba publicly declared that Mr. Rashid Kanji-Ogli would not be handed over to the Georgian authorities.[8] During the reporting period, in December 2016, the Zugdidi District Court found the fugitive Mr. Rashid Kanji-Ogli guilty of the charges filed against him and sentenced him, in absentia, to deprivation of liberty for a term of 12 years.[9] However, under the existing circumstances, Mr. Rashid Kanji-Ogli and his accomplices still remain unpunished. The above situation with regard to the violation of the right to life of Mr. Giga Otkhozoria once again demonstrates that the occupied territories of Georgia remain "black holes" in terms of holding the violators of human rights accountable. The above situation further reaffirms the need for immediate, unhindered and continuous access by international human rights monitoring mechanisms to the occupied territories of Georgia.

Occupation line and the installation of barbed wire fences and other artificial obstacles

8. The occupation line along the administrative boundary line with Abkhazia and the Tskhinvali Region separates Georgia from its two occupied territories. The process of so-called "borderization" commenced in 2011. Currently, the total length of razor wire and barbed wire fences and other artificial obstacles along the occupation line in the Tskhinvali Region is nearly 52 km (the overall length of the occupation line is more than 350 km) and along the occupation line in Abkhazia is 48 km (the overall length of the occupation line is around 145 km).

[6] Statement by the Ministry of Foreign Affairs of Georgia concerning the fact of murder committed in the village of Khurcha, Zugdidi District, on 19 May 2016, available at www.mfa.gov.ge/News/%E1%83%A1%E1%83%90%E1%83%92%E1%83%90%E1%83%A0%E1%83%94%E1%83%9D-%E1%83%A1%E1%83%90%E1%83%A5%E1%83%9B%E1%83%94%E1%83%97%E1%83%90-%E1%83%A1%E1%83%90%E1%83%98%E1%83%98%E1%83%9C%E1%83%98%E1%83%A1%E1%83%A2%E1%83%A0%E1%83%9D%E1%83%A1-%E1%83%92%E1%83%90%E1%83%9C%E1%83%AA%E1%83%AE%E1%83%90%E1%83%93%E1%83%94%E1%83%91%E1%83%90-2016-%E1%83%AC%E1%83%9A%E1%83%98%E1%83%A1-1.aspx?CatID=5&lang=en-US.

[7] "The Prosecutor's Office launches criminal proceedings in connection with the murder of Giga Otkhozoria", Prosecutor's Office of Georgia, 21 May 2016, available at http://pog.gov.ge/eng/news?info_id=932.

[8] "Abkhazia will not hand over to Georgia border guard suspected in murder", *Ria Novosti*, 6 July 2016, available at https://ria.ru/world/20160706/1459757274.html.

[9] "Court finds Rashid Kanji-Ogli, accused of Giga Otkhozoria's murder, guilty", Prosecutor's Office of Georgia, 28 December 2016, available at http://pog.gov.ge/eng/news?info_id=1095.

9. According to the European Union statement on the Secretary-General's fourteenth consolidated report on the conflict in Georgia, "the EU is deeply concerned about the illegal activities of 'borderization', which divides families and communities and impedes the [movement of] people on the ground, depriving them of fundamental rights, including education in their native language, property rights and freedom of movement, including in the context of so-called 'border crossing', which, inter alia, may lead to fatal incidents. The EU calls on the authorities exercising effective control to remove the fences and other obstacles to the freedom of movement and to investigate all allegations of all crimes and human rights violations on the ground."[10]

10. During the reporting period, an article was published in *The New York Times* describing the problems created by the occupation line and the installation of barbed wire fences in the Tskhinvali region.[11] According to the article, the village of Jariasheni is "[m]arked in places with barbed wire laid at night, in others by the sudden appearance of green signs declaring the start of a 'state border' and elsewhere by the arrival of bulldozers, the reach of Russia keeps inching forward into Georgia with ever more ingenious markings of a frontier that only Russia and three other states recognize as real." The article states that "[t]he green border signs that first appeared last year and now keep popping up along the zigzagging boundary warn that 'passage is forbidden' across what is declared to be a 'state border'." According to the article, "Kestutis Jankauskas, the head of the European Union Monitoring Mission in Georgia, said it was hard to know where this boundary line exactly runs. It was never recognized or agreed upon, and its location depends on which maps are used. Russia, he said, is using a map drawn by the Soviet military's general staff in the 1980s. It demarcates what in the Soviet era was an inconsequential administrative boundary within the Soviet Socialist Republic of Georgia but what is now hardening into a hazardous frontier. The fitful movement of the boundary seems to be driven mostly by Russia's desire to align what it sees as a state border with this old Soviet map. So far, the movement has always been forward, often by just a few yards but at other times by bigger leaps."[12]

New so-called "laws" and the new wave of so-called "passportization"

11. As a result of a reaction of the international community on the issue of adoption of so-called new "laws" and so-called "passportization", a decision was made in December 2016 to amend the so-called "law on the legal status of foreign citizens in Abkhazia" to enable residents of Gali district holding Georgian citizenship to obtain "residence permits". According to the amendment, "resident permits can be issued to individuals holding foreign citizenship if they were born in Gali district of the Soviet Socialist Republic of Abkhazia".[13] However, it should be

[10] European Union statement on the fourteenth consolidated report of the Secretary-General on the conflict in Georgia, 1271st meeting of the Committee of Ministers of the Council of Europe, 16 November 2016.

[11] "In Russia's 'Frozen Zone,' a Creeping Border With Georgia", Andrew Higgins, *The New York Times*, 23 October 2016, available at www.nytimes.com/2016/10/24/world/europe/in-russias-frozen-zone-a-creeping-border-with-georgia.html.

[12] Ibid.

[13] "Resident permits will be given to foreign citizens in Gali", *Apsny*, 29 December 2016, available at http://apsny.ru/news/?ID=26462.

noted that resident permits will not enable holders of foreign citizenship to obtain so-called "Abkhazian citizenship".[16]

12. As part of the new wave of so-called "passportization" in the Abkhazian region, the issuance of so-called "passports" started in May 2016 and continued during the reporting period.[17] By the middle of December 2016, more than 3,000 new so-called "Abkhaz passports" had been issued.[18] It has been decided to extend the expiry date of old so-called "Abkhaz passports" until 31 December 2018.[17] It should be emphasized that on 18 October 2016, the so-called "head of administration of Gali district" of the Sokhumi occupation regime declared that "of the 17,800 residents of Gali district, only 340 have Abkhazian citizenship, the rest are Georgian citizens".[19]

13. It should be recalled that on 1 April 2016, the so-called "law on the legal status of foreign citizens in Abkhazia"[20] and the "law on entry into and exit from Abkhazia"[20] became operational. A similar document was adopted by the Tskhinvali occupation regime, namely the so-called "law on the legal status of foreigners in the Republic of South Ossetia". The adoption of so-called "laws" in many ways targets the ethnic Georgian population living in the occupied territories. The Ministry of Foreign Affairs of Georgia once again expresses its serious concern regarding the

[16] "Legal status of residents of Eastern districts of Abkhazia will be regulated", *Nuzhnaya Gazeta*, 29 December 2016, available at https://abh-n.ru/prasvevet-polozhenie-zhiteley-vostochnyx-rajonov-abxazii-budet-uregulirovano/.

[17] "Tania: during one month 300 passports were distributed in Sokhumi", *Apsnypress*, 19 December 2016, available at http://www.apsnypress.info/news/tsneiya-za-mesyats-po-sukhumu-vydano-svyshe-300-pasportov/.

[18] "Managua: more than 3,000 new Abkhaz passports were issued", *Sputnik Abkhazia*, 19 December 2016, available at http://sputnik-abkhazia.ru/Abkhazia/20161219/1020088707/managuya-oformleno-bolee-trex-tysyach-novyx-abxazskix-pasportov.html.

[17] "Expiry date of Abkhaz passports of old sample was extended until 31 December 2018", *Apsnypress*, 31 December 2016, available at http://www.apsnypress.info/news/data-okonchaniya-sroka-dryustviya-pasportov-starogo-obraztsa-perenesena-no-31-dekabrya-2018-goda/.

[19] "Nadaraia: project is ready on creation of special economic zone in Gali district", *Apsnypress*, 18 October 2016, available at http://www.apsnypress.info/news/nadaraya-gotov-proekt-po-sozdaniyu-v-galskom-rayone-osoboy-ekonomicheskoy-zony/.

[20] The so-called "law on the legal status of foreign citizens in Abkhazia" was designed in order to place ethnic Georgians living in the region of Abkhazia into a category of "foreign citizens" and to discriminate against them in many ways. Many ethnic Georgians living in Abkhazia, predominantly in Gali district, hold Georgian citizenship that qualifies them as "foreigners" under the so-called "law on the legal status of foreign citizens in Abkhazia" and therefore puts limitations on their human rights, including freedom of movement, the right to property and labour rights. Under this so-called "law", ethnic Georgians holding Georgian citizenship have been deprived the possibility of obtaining residence permits and respective restrictive clauses served as "legal" grounds for the persecution of ethnic Georgian families.

By the adoption of the so-called "law on entry into and exit from Abkhazia", the decision has been made to introduce visas for States: (a) not recognizing the so-called "independence of Abkhazia" and (b) not having a "bilateral agreement" on visa-free travel. Under this so-called "law" any person can exit Abkhazia, however, only so-called "citizens of Abkhazia" can enter the Abkhazian region without additional formalities. It should be noted that a foreign citizen or a person without citizenship can be expelled from the territory of occupied Abkhazia if that person poses a threat to safety, security or public order. It should be emphasized that this so-called "law", creates additional obstacles to representatives of international organizations, leading to the further isolation of the region.

adoption of new discriminatory regulations for ethnic Georgians living in the occupied regions of Georgia.

II. Freedom from torture and ill-treatment

14. As described in previous quarterly reports of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia, the Russian Federal Security Service (FSB) officers and representatives of the Sokhumi and Tskhinvali occupation regimes regularly take actions that amount to torture and ill-treatment. For years, there has been a regular flow of information on inadequate detention conditions in so-called "detention centres" in the occupied regions of Georgia. The practice of torture and ill-treatment in the occupied regions of Georgia remained an issue of concern during the reporting period.

15. During the reporting period, on 10 December 2016, the Public Defender of Georgia issued a report on human rights and freedoms in 2016. According to the report, "inappropriate and degrading treatment is regularly applied toward detainees at Russian military bases, including forced labour, verbal and physical abuse, restriction of food and water".[21]

16. On 27 November 2016, three members of the so-called "special forces unit" of the Tskhinvali occupation regime inflicted a severe physical assault on a 21-year-old resident in Tskhinvali. As a result of the numerous blows that were inflicted on the head of the victim, he was later hospitalized. During the incident, one of the members of the so-called "special forces unit" even fired a shot in the direction of the victim.[22]

17. In December 2016 in Tskhinvali, members of the so-called "special forces unit" of the Tskhinvali occupation regime physically assaulted two schoolchildren, one boy and one girl of grade 11 in school No. 2, in the restaurant "Oasis". Trauma to the head was inflicted on both children, as a result of which the boy lost consciousness. The victims were later transported to a hospital for medical treatment.[23]

18. In October 2016, Mr. Khajimba declared that "there is a need to change the detention conditions of detainees in the detention centre" and the so-called "minister of the interior" of the Sokhumi occupation regime declared that "problems related to the detention conditions of criminals have remained unsolved for 23 years

[21] Report on the situation of the protection of human rights and freedoms in Georgia, Public Defender of Georgia, 10 December 2016, p. 20, available at www.ombudsman.ge/uploads/other/4/4088.pdf.

[22] "A resident of Tskhinvali was beaten by members of special forces unit", *Sputnik-Ossetia*, 2 December 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161202/3395524.html; "General Prosecutor's Office started investigation into members of special forces unit who have beaten a resident of Tskhinvali", *Sputnik-Ossetia*, 6 December 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161206/3413768.html.

[23] "Tibilov: members of special forces unit should be examples of behaviour", *Sputnik-Ossetia*, 29 December 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161229/3528028.html; "Prosecutor's office is investigating details of brawl between youngsters and special forces unit", *Sputnik-Ossetia*, 27 December 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161227/3517504.html.

already".[24] It has been argued by representatives of the Sokhumi occupation regime that the "absence of motivation of employees of the ministry of the interior to work in the detention centre [is] due to the low salary there"; and that "understaffing of the preliminary detention centre, which equals 60 per cent", and the non-provision of "the detention centre with necessary technical equipment" are behind the problems.[25]

III. Arbitrary detention

19. Russian FSB officers regularly carry out arbitrary detentions for so-called "illegal border crossing" along the occupation lines with the Abkhazia and Tskhinvali regions. In most cases detention is followed by fines and later release. The detention period can last several days, several months or, in some cases, several years. According to data supplied by the State Security Service of Georgia, between 2008 and 12 December 2016, in total, 2,775 people were detained by Russian FSB officers for so-called "illegal border crossing": 1,788 people were detained along the occupation line with the Abkhazian region and 987 people were detained along the occupation line with the Tskhinvali region; from 1 January 2016 to 12 December 2016, 190 people were detained along the occupation line with the Abkhazian region and 132 people were detained along the occupation line with the Tskhinvali region.[26] It should be noted that according to the information of the so-called "State Security Committee of South Ossetia", 549 people were detained for so-called "illegal border crossing" along the occupation line with the Tskhinvali region over the course of 2016.[27]

20. According to a report of the Public Defender of Georgia issued during the reporting period, "armed forces of the Russian Federation continue to detain minors, pregnant women, patients and older people".[28]

21. It is particularly alarming that, during the reporting period, Mr. Giorgi Giunashvil remained in illegal detention in so-called Tskhinvali prison.[29] As described in the third quarterly report (July-September 2016) of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia, on 8 June 2016, Mr. Giorgi Giunashvil, a citizen of Georgia, was detained

[24] "Raul Khajimba: it is necessary to regulate issue of increasing salaries to employees of the preliminary detention centre", *Apsnypress*, 20 October 2016, available at http://apsnypress.info/news/raul-khadzhimba-neobkhodimo-reshit-voprosy-povysheniya-zarabotnoy-platy-sotrudnikam-sizo/.

[25] Ibid.

[26] "Representatives of the Russian occupying forces detained 2,775 Georgians between 2008 and 12 December 2016 for so-called 'illegal border crossing' in the occupied territories of Georgia", *Pirweli Information Agency*, 12 December 2016, available at http://pia.ge/post/84592-rusma-okupantebma-2-775-qartveli-daakaves.

[27] "Authorities of South Ossetia expelled violator of state border from Georgia", *Sputnik-Ossetia*, 28 December 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161228/3522804.html.

[28] Report on the situation of the protection of human rights and freedoms in Georgia, Public Defender of Georgia, 10 December 2016, p. 20, available at www.ombudsman.ge/uploads/other/4/4088.pdf.

[29] "IPRM meeting held in Ergneti", State Security Service of Georgia, 30 November 2016, available at http://ssg.gov.ge/en/news/197/IPRM-Meeting-Held-in-Ergneti.

by Russian FSB officers for so-called "illegal border crossing" along the occupation line with the Tskhinvali region. Initially, the detainee was sentenced to two months of imprisonment for so-called "illegal border crossing". However, later, the so-called "prosecutor's office" of the Tskhinvali occupation regime initiated a "criminal case" against Mr. Giorgi Giunashvil accusing him of "causing serious damage to the health" of an unspecified resident of the Tskhinvali region in 2008. The Government of Georgia considers the above accusations against Mr. Giorgi Giunashvil to be groundless and fabricated and therefore calls for his unconditional release.[30]

22. During the reporting period, numerous cases of arbitrary detention were reported in the occupied regions of Georgia. Below are only a few examples.

23. On 12 October 2016, a resident of the village of Plavi, Gori district, was detained for so-called "illegal border crossing" along the occupation line with the Tskhinvali region and "criminal charges" were filed against him for the above reason.[31] However, according to the family members of the detainee, he had not crossed the occupation line.[32]

24. On 22 October 2016, a resident of the village of Mejvriskhevi, Gori district, was detained by Russian FSB officers for so-called "illegal border crossing" near the occupation line with the Tskhinvali region. The resident of the village of Mejvriskhevi did not cross the occupation line; when detained he was near the occupation line for cattle grazing.[33]

25. On 24 October 2016, a resident of the village Kirbali, Gori district, was detained by Russian FSB officers for so-called "illegal border crossing" near the occupation line with the Tskhinvali region. When detained, the resident of the village of Kirbali was collecting timber in the forest near the occupation line. He did not cross the occupation line. The detainee spent three days in detention in the Tskhinvali region.[34]

26. On 5 and 6 November 2016, six citizens of Georgia were detained for so-called "illegal border crossing" along the occupation line with the Tskhinvali region.[35]

---

[30] Ibid.

[31] "Criminal case was filed in relation to violator of border from Georgia", *Sputnik-Ossetia*, 12 October 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161012/3149539.html.

[32] "A resident of the village of Plavi was detained for so-called 'illegal border crossing'", *IPN*, 12 October 2016, available at www.interpressnews.ge/ge/konfliqtebi/401945-ets-sazghvris-ukanonod-gadakvethis-braldebith-sofel-flavis-mckhovrebi-daakaves.html?ar=A.

[33] "43-year-old man was detained for so-called 'illegal border crossing'", *GHN*, 22 October 2016, available at http://ghn.ge/com/news/view/162625.

[34] "What is the story of a man who spent three days in illegal detention at the Tskhinvali detention centre?" *Palitra News*, 27 October 2016, available at www.palitratv.ge/yvela-video/akhali-ambebi/79610-ras-hyveba-ckhinvalis-izolatoridan-samdghiani-ukanono-patimrobis-shemdeg-gathavisuflebuli-mamakaci.html.

[35] "Tskhinvali regime released six Georgian citizens as a result of fine payment", *IPN*, 8 November 2016, available at www.interpressnews.ge/ge/konfliqtebi/405626-ckhinvalis-rezhimma-jarimis-gadakhdis-shemdeg-saqarthvelos-6-moqalaqe-gaathavisufla.html?ar=A.

27. On 27 November 2016, an 18-year-old resident of Gori district was detained by Russian FSB officers in the village of Jariasheni, near the occupation line with the Tskhinvali region, and was abducted to the occupied Tskhinvali region.[36]

28. On 6 December 2016, several schoolchildren residing in the occupied village of Otobaia, Gali district, were detained by Russian FSB officers in Abkhazia. The schoolchildren were held in detention in the Russian military base for around five hours.[37]

29. On 27 December 2016, a resident of the village of Mejvriskhevi, Gori district, was detained by Russian FSB officers for so-called "illegal border crossing" along the occupation line with the Tskhinvali region.[38]

IV. Freedom of movement

30. Along the occupation lines with the Abkhazia and Tskhinvali regions people are regularly subject to restrictions on freedom of movement by Russian FSB officers: the operating crossing points along the occupation lines allow crossings only to individuals having one of the types of "documents" recognized by the occupying power. Those unable to present such a "document" or who show up at the crossing point out of working hours are denied the right to cross, often leading to various problems for locals, including children. Restrictions on freedom of movement remained an issue of concern during the reporting period, as attested by various sources.

31. It should be recalled that in spring 2016, two crossing points of the six crossing points along the occupation line with the Abkhazian region were closed down.[39] In November 2016, Mr. Khajimba spoke publicly about the policy of closing down the crossing points along the occupation line with the Abkhazian region.[40] On 5 December 2016, the so-called "head of administration of Gali district" of the Sokhumi occupation regime publicly declared that "the Russian border guards are closing more and more segments of fords on the River Enguri, the places in the river which were used to cross the border illegally... In 2016 everything is ready to close down two more crossing points".[41] Eventually, by so-called "decree No. 241" of the so-called "government of Abkhazia", dated

[36] "Occupiers abducted 18-year-old man from the village of Jariasheni", Ambebi.ge, 27 November 2016, available at www.ambebi.ge/semtxveva/184430-sofel-jariashenidan-okupantebma-18-tslis-mamakaci-gaitaces.html.

[37] "So-called 'border guards' freed schoolchildren detained in occupied Abkhazia", *Pirweli Information Agency*, 6 December 2016, available at http://pia.ge/post/83148-c-w-mesazrvreebma-okupirebul-afxazetsi-dakavebuli-skolis-moswavleebi-gaatavisufles.

[38] "Authorities of South Ossetia expelled violator of state border from Georgia", *Sputnik-Ossetia*, 28 December 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161228/3522804.html.

[39] Consolidated report on the conflict in Georgia, Council of Europe (April-September 2016), 2016, SG/Inf(2016)37, para. 41.

[40] "Raul Khajimba: we will not let anybody destroy our state in the heat of revenge", *Apsnypress*, 10 November 2016, available at www.apsnypress.info/news/raul-khadzhimba-my-nikomu-ne-pozvolim-v-pylu-revanshizma-razrushat-nashu-gosudarstvennost/.

[41] "Temur Nadaraia: data supplied by Dimitri Dbar are not authentic and mislead the public", *Apsnypress*, 5 December 2016, available at www.apsnypress.info/news/temur-nadaraya-tsifry-privedyennye-dmitriem-dbar-nedeystviteiny-i-vvodyat-v-zabluzhdenie-obshchestve/.

28 December 2016, a decision was made to close down two more crossing points, "Nabakevi crossing point" and "Otobaia crossing point", along the occupation line with the Abkhazian region.[42] It should be noted that, according to paragraph 3 of so-called "decree No. 241", "the decree will enter into force 30 days after it is published".[43] When commenting on the decision to close two additional crossing points, the representative of the so-called "government of Abkhazia" stated the following: "in accordance with the government decision adopted earlier, we are gradually decreasing the number of crossing points on the border with Georgia".[44]

32. According to information disseminated on 26 October 2016, Mr. Tibilov declared that "Tskhinvali needs airplanes in order to eradicate the practice of Ossetians travelling to Georgia for medical treatment". According to the source, Mr. Tibilov stated that "local residents often request that the authorities send them to Georgia for medical treatment, where it is much easier to travel, rather than to North Ossetia [the Russian Federation]". According to Mr. Tibilov, "South Ossetia is discussing with the Russian Federation the issue of creating its own aviation [service]".[45]

33. As described in previous quarterly reports of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia, in both the Abkhazian region and the Tskhinvali region so-called "border zones" have been established in the vicinity of the occupation lines by the occupying power. Residents of each occupied region are subject to restrictions on freedom of movement in terms of entering these so-called "border zones" and in terms of moving within these so-called "border zones". It should be emphasized that during the reporting period, the so-called "deputy minister of foreign affairs" of the Sokhumi occupation regime declared that "there is a decision by the government, adopted very recently, in fact, a few days ago, which approved an extension of the border zone".[46] According to the same source, "this is a regime zone and, correspondingly, entrance to this zone will be always restricted. Those who dwell there (householders, guests, etc.) fall under this regime".[47] According to information disseminated on 15 November 2016, local residents of Gali district of the occupied Abkhazian region are subject to restrictions on freedom of movement: the Russian military personnel deployed there demand "documents" in order to allow local residents to move across internal routes

[42] "Two more crossing points on the border on the River Enguri will be closed", *Apsnypress*, 28 December 2016, available at www.apsnypress.info/news/zakryvayutsya-eshche-dva-punkta-propuska-na-granitse-po-reke-ingur/; Decree of the government of the republic of Abkhazia, 28 December 2016, available at www.gazeta-ra.info/index.php?ELEMENT_ID=14673.

[43] Decree of the government of the republic of Abkhazia, 28 December 2016, available at www.gazeta-ra.info/index.php?ELEMENT_ID=14673.

[44] "Two more crossing points on the border on the River Enguri will be closed", *Apsnypress*, 28 December 2016, available at www.apsnypress.info/news/zakryvayutsya-eshche-dva-punkta-propuska-na-granitse-po-reke-ingur/.

[45] "Leonid Tibilov: Tskhinvali needs airplanes in order to eradicate the practice of Ossetians travelling to Georgia for medical treatment", *Ambebi.ge*, 26 October 2016, available at www.ambebi.ge/conflicts/180939-leonid-thibilovi-ckhinvals-thvithmfrinavebi-steirdeba-imisthvis-rom-saqarthveloshi-osebis-samkurnalod-chasvla-aghkvethos.html.

[46] "Talks on the militarization of Gali district are untenable", *ekhokavkaza*, 24 November 2016, available at www.ekhokavkaza.com/a/28137770.html.

[47] Ibid.

of Gali district.[48] According to information disseminated on 16 December 2016, in the villages of Saberio, Lekukhona and Cheghali, Gali district, the freedom of movement of local residents is restricted: the occupiers demand "documents" from locals in order to allow them to move from one village to another and take photos of local residents, presumably in order to create a database.[49]

34. It should be emphasized that according to information disseminated on 23 November 2016, Russian FSB officers restricted the freedom of movement of residents of the villages of Akhalubani, Adzvi and Jariasheni, Gori district. In particular, on the occasion of Saint George's Day, they could not visit and pray in Saint George's Church, located near the occupation line with the Tskhinvali region.[50]

V. Right to property

35. During the reporting period, violations of the right to property caused by the occupation of the territories of Georgia remained an issue of concern.

36. During the reporting period, a representative of the Tskhinvali occupation regime stated that "particularly in locations where the border is not yet clearly formalized, residents of adjacent territories often cultivate land and harvest crops and therefore violate the law." He further stated that "In cases when the border crosses directly through premises and plots of land, a householder should keep a passport in order to enter his plot of land, which remains in the territory of another State. There are a lot of such situations, predominantly in the village of Zardiantkari".[51]

37. According to an article that was published during the reporting period in *The New York Times*, the occupation line in the Tskhinvali region creates problems for local residents in terms of enjoyment of the right to property. According to the article, "the dirt track now running through this tiny Georgian village [of Jariasheni] nonetheless means that Vephivia Tatiashvili can no longer go to his three-story house because it sits on land now patrolled by Russian border guards." The article argues that "[t]here is no fence or barbed wire, but Mr. Tatiashvili does not dare to

[48] "In occupied Abkhazia the population is subject to restrictions of movement on so-called border", *Pirweli Information Agency*, 15 November 2016, available at http://pia.ge/post/540-okupirebul-afxazetsi-e-w-sazrvarze-mosaxleobas-gadaadgileba-seezruda.

[49] "In the villages of Gali district, occupiers restrict freedom of movement of locals", *Pirweli Information Agency*, 16 December 2016, available at http://pia.ge/post/83972-okupirebuli-galis-soflebsi-okupantebi-adgilobrivebs-gadaadgilebas-uzrudaven.

[50] "In Gori district, near the occupation line, the mobilization of so-called 'Russian border guards' was noticeable", Newposts, 23 November 2016, available at www.newposts.ge/?l=G&id=125858-%E1%83%92%E1%83%9D%E1%83%A0%E1%83%98,%20%E1%83%A1%E1%83%90%E1%83%9D%E1%83%99%E1%83%A3%E1%83%9E%E1%83%90%E1%83%AA%E1%83%98%E1%83%9D,%20%E1%83%9B%E1%83%94%E1%83%A1%E1%83%90%E1%83%96%E1%83%A6%E1%83%95%E1%83%A0%E1%83%94,%20%E1%83%92%E1%83%98%E1%83%9D%E1%83%A0%E1%83%92%E1%83%9D%E1%83%91%E1%83%90; "Population is not allowed to pray near administrative boundary line with so-called South Ossetia", *Kvira*, 23 November 2016, available at http://kvira.ge/295904.

[51] "David Sanakoev: arrangement of border depends on financing", *Sputnik-Ossetia*, 13 October 2016, available at http://sputnik-ossetia.ru/South_Ossetia/20161013/3158517.html.

cross the track to visit his house for fear of being arrested, as his elderly neighbor was, by Russian border guards. 'It is too dangerous for me to go home', he said, complaining that the boundary has become so mobile that nobody really knows its final destination. Mr. Tatiashvili now lives in his brother's house, away from the border in the village center ... 'Russia starts right here', said Mr. Tatiashvili, pointing to the freshly dug track that separates his house from Georgian-held land." The article further observes that "Elizbar Mestumrishvili, 75, a farmer who lives next to Mr. Tatiashvili's now-marooned house, can still get to his home, as it lies on the Georgian side of the new dirt track. But he is wary of going to the bottom of his garden, which lies within a 60-yard frontier zone that Russian and South Ossetian security officers claim the right to patrol. Pointing to a row of vines drooping with plump grapes, he said it was unwise to walk any farther because 'they might come and set up a border post'."[52]

38. According to local residents of Gali district, the so-called "administration of Gali district" of the Sokhumi occupation regime forces them to sell most of their harvested citrus crops in the Russian Federation; however, it is economically much more profitable for them to sell their citrus crops in Zugdidi, the territory controlled by the Government of Georgia.[53] It should be noted here that the European Court of Human Rights has interpreted "possessions" under article 1 (protection of property), Protocol No. 1 to the European Convention on Human Rights very broadly and has held that it includes movable or immovable property and also the economic interests connected with "possessions".[54]

VI. Right to education in the native language

39. As described in previous quarterly reports of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia, in the Gali district there are 31 schools and of these 31 schools only 11 schools, all of which are in the so-called "lower zone" of Gali district, had the status of Georgian schools until the end of the academic year 2014/2015. However, from the beginning of September of the academic year 2015/2016, drastic changes were made in the curriculum of these 11 schools, meaning that the teaching of all subjects is in the

[52] "In Russia's 'Frozen Zone,' a Creeping Border With Georgia", Andrew Higgins, *The New York Times*, 23 October 2016, available at www.nytimes.com/2016/10/24/world/europe/in-russias-frozen-zone-a-creeping-border-with-georgia.html.

[53] *Abkhazian de facto authorities force the population of Gali district to transport citrus to Russia*, Business Press News, 27 October 2016, available at https://bpn.ge/finansebi/27714-afkhazethis-de-faqto-khelisufleba-galis-mosakhleobas-citrusis-rusethshi-gatanas-aidzulebs.html?device=xhtml&lang=ka-GE.

[54] "Possessions" include "a range of economic interests. The following have been held to fall within the protection of article 1: movable or immovable property, tangible or intangible interests, such as shares, patents, an arbitration award, the entitlement to a pension, a landlord's entitlement to rent, the economic interests connected with the running of a business, the right to exercise a profession, a legitimate expectation that a certain state of affairs will apply, a legal claim, and the clientele of a cinema." Carss-Frisk, M. *The right to property: a guide to the implementation of article 1 of Protocol No. 1 to the European Convention on Human Rights*, Human rights handbooks, No. 4 (Strasbourg: Council of Europe, 2001), p. 6, available at https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680071ff4a.

Russian language in grades one to four. The academic year 2016/2017 started in line with the above changes, meaning the teaching of all subjects in the Russian language and therefore the Russian language became the formal language of instruction also in grade five. The above policy, if continued for several years, would result in the gradual replacement of the Georgian curriculum with the Russian curriculum for all grades in these 11 schools of the so-called "lower zone" of Gali district.

40. According to the report of the Public Defender of Georgia, issued during the reporting period, "problems remain with the access of people living on occupied territories to education".[55]

41. During the reporting period, the situation with regard to the right to education in the native language in the Gali district remained the same. According to the European Union statement of 16 November 2016 on the fourteenth consolidated report on the conflict in Georgia: "[t]he EU expresses its concern at reports on a continuing deterioration of the access to education in the native language in the Georgian region of Abkhazia. We strongly believe that the right to education for everyone, including education in the native language, should be guaranteed and applied in the Georgian regions of Abkhazia and Tskhinvali/South Ossetia as well. We join the efforts of the Co-Chairs of the Geneva International Discussions to promote the understanding of and respect for the universal right to education of the child".[56]

42. As described in previous quarterly reports of the Ministry of Foreign Affairs of Georgia on the human rights situation in the occupied regions of Georgia, there is a tendency among parents to decide to terminate attendance by their children of the schools with the newly introduced Russian curriculum and to transfer them to the schools located on the other side of the occupation line; however, the right to education in the native language remains problematic also in relation to freedom of movement. For example, in the reporting period, on the morning of 6 December 2016, several schoolchildren residing in the occupied village of Otobaia, Gali district, were detained by Russian FSB officers and were prevented from crossing the occupation line in Abkhazia and therefore from attending school in the village of Darcheli, Zugdidi district, the territory controlled by the Government of Georgia. It should be noted that the schoolchildren were held in detention in the Russian military base for around five hours.[57] Moreover, the decision to close down two more crossing points along the occupation line with the Abkhazian region will create further impediments to the schoolchildren going to schools on the territory controlled by the Government of Georgia to get the education in the native language, as they will have to cover several additional kilometres every day.

---

[55] Report on the situation of the protection of human rights and freedoms in Georgia, Public Defender of Georgia, 10 December 2016, p. 20, available at www.ombudsman.ge/uploads/other/4/4088.pdf.

[56] European Union statement on the fourteenth consolidated report of the Secretary-General on the conflict in Georgia, 1271st meeting of the Committee of Ministers of the Council of Europe, 16 November 2016.

[57] "So-called 'border guards' freed schoolchildren detained in occupied Abkhazia", *Pirweli Information Agency*, 6 December 2016, available at http://pia.ge/post/83148-c-w-mesazrvreebma-okupirebul-afxazetsi-dakavebuli-skolis-moswavleebi-gaatavisufles.

VII. Conclusions

43. It can be concluded that the situation described in the occupied regions of Georgia and the examples provided for the reporting period constitute infringements of the right to freedom from torture and ill-treatment and are therefore violations of article 7 of the International Covenant on Civil and Political Rights; article 5 of the Universal Declaration of Human Rights; article 3 of the European Convention on Human Rights; and the OSCE commitments.[58]

44. It can be concluded that the situation described in the occupied regions of Georgia with regard to arbitrary detention and the examples provided for the reporting period constitute arbitrary detention and are therefore violations of article 9 of the International Covenant on Civil and Political Rights; article 3 of the Universal Declaration of Human Rights; article 5 of the European Convention on Human Rights; and relevant provisions of the OSCE commitments.

45. It can be concluded that the situation described in the occupied regions of Georgia with regard to freedom of movement and the examples provided for the reporting period constitute violations of the right to freedom of movement, namely of article 12 of the International Covenant on Civil and Political Rights; article 13 of the Universal Declaration of Human Rights; article 2 of Protocol No. 4 to the European Convention on Human Rights; and the OSCE freedom of movement commitments.

46. It can be concluded that the situation described in the occupied regions of Georgia with regard to the right to property and the examples provided for the reporting period constitute violations of the right to property, namely of article 17 of the Universal Declaration of Human Rights; article 1 of Protocol No. 1 to the European Convention on Human Rights; and the OSCE commitments.

47. It can be concluded that the situation described in the occupied regions of Georgia with regard to education in the native language and the examples provided for the reporting period constitute violations of the right to education in one's native language and therefore violations of article 26 (read in conjunction with article 2) of the Universal Declaration of Human Rights; article 2 of Protocol No. 1 to the European Convention on Human Rights; article 28 (read in conjunction with paragraph 1 of article 2) of the Convention on the Rights of the Child; and relevant provisions of the OSCE commitments.

48. It can be concluded that the situation described in the occupied regions of Georgia, particularly the adoption of so-called "laws" and the process of "passportization", violates the prohibition of discrimination provisions of article 14 of the European Convention on Human Rights and its Protocol No. 12; article 26 of the International Covenant on Civil and Political Rights; and the International Convention on the Elimination of All Forms of Racial Discrimination.

[58] The Vienna Concluding Document (1989) prohibits torture and other cruel, inhuman or degrading treatment or punishment (para. 23.4); the Charter of Paris for a New Europe (1990) also prohibits torture and other cruel, inhuman or degrading treatment or punishment; the Charter for European Security (1999) commits to "eradicating torture and other cruel, inhuman or degrading treatment or punishment throughout the OSCE area" (para. 21).

VIII. Appeal to the international community

49. The Ministry of Foreign Affairs of Georgia appeals to the international community, States and international intergovernmental and non-governmental organizations:

(a) To call on the Russian Federation to reverse its recognition of independence of the Georgian regions Abkhazia and Tskhinvali and to end the occupation of the Georgian territories;

(b) To call on the Russian Federation to stop violations of human rights in the occupied territories while exercising effective control;

(c) To continue calling on the Russian Federation to ensure the free movement of people and the removal of barbed wire and razor wire and other artificial obstacles and banners along the occupation line;

(d) To take additional measures in order to monitor and report on the human rights situation in the occupied regions of Georgia, more specifically, the Ministry of Foreign Affairs of Georgia appeals to:

(i) The Office of the United Nations High Commissioner for Human Rights to take additional measures in order to regularly address and assess the human rights situation in Abkhazia and the Tskhinvali region of Georgia;

(ii) The special procedures mandate holders of the Human Rights Council to take additional measures in order to address and report on the human rights situation in Abkhazia and the Tskhinvali region of Georgia;

(iii) The Commissioner for Human Rights of the Council of Europe to take additional measures in order to address and report on the human rights situation in Abkhazia and the Tskhinvali region of Georgia;

(iv) The OSCE and its autonomous institutions, namely the Office for Democratic Institutions and Human Rights and the Office of the High Commissioner on National Minorities, to find ways of monitoring the human rights situation in the occupied regions of Georgia by, inter alia, undertaking a follow-up mission to the occupied regions of Georgia and preparing a report on the status of implementation of the recommendations contained in the 2008 report entitled "Human rights in the war-affected areas following the conflict in Georgia";

(e) To continue calling on the Russian Federation to allow access by international human rights monitoring mechanisms to the occupied regions of Georgia; and access by the relevant missions of international organizations (such as EUMM), including humanitarian organizations, to the occupied regions of Georgia through legal routes;

(f) To continue and intensify the condemnation of violations of human rights such as the right to life; freedom of movement; freedom from torture and ill-treatment; the right to liberty; the right to property; and the right to receive education in the native language in the occupied regions of Georgia.

Enclosure

Ministry of Foreign Affairs published the fourth quarterly report for 2016 on the human rights situation in the occupied regions of Georgia

For 2016, the Ministry of Foreign Affairs prepared the fourth quarterly report on the human rights situation in the occupied regions of Georgia. The report covers the period from October to December 2016 and reveals human rights violations in the occupied territories of Georgia during the period.

The report was prepared by the Ministry of Foreign Affairs of Georgia in coordination with various government agencies. The report is based on open sources of information and aims at providing the international community with periodic information on the human rights situation in Georgia's occupied territories in order to ensure its adequate reaction.

It should be emphasized that gross violations of human rights, including inhuman treatment, arbitrary detention, restrictions of freedom of movement and the mass infringement of property rights, as well as restrictions on the right to receive education in the native language were reported from the occupied territories in the indicated period. The process of installation of barbed wire fences, other artificial obstacles and banners across the occupation line adds to the gravity of the otherwise tense situation. It should be emphasized that during the reporting period a decision was made to close down two more crossing points along the occupation line with the Abkhazian region. In addition, it was decided to extend the so-called "border zone" in the Abkhazian region. These developments aim to further restrict the freedom of movement of local residents.

The Ministry of Foreign Affairs is concerned about the human rights situation in the occupied territories of Georgia and appeals to the international community to take immediate and adequate measures for the eradication of grave violations of human rights and all forms of ethnic discrimination in Abkhazia and the Tskhinvali region.

United Nations S/2017/179

Security Council

Distr.: General
3 March 2017
English
Original: Russian

Letter dated 28 February 2017 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith humanitarian and information bulletins from the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic for the period 24-28 February 2017 (see annex).

I should be grateful if this letter and its annex could be circulated as a document of the Security Council.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) P. **Iliichev**
Chargé d'affaires a.i.

17-03604 (E) 060317 070317

Please recycle

Annex to the letter dated 28 February 2017 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General

Humanitarian bulletin of the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (24 February 2017)

Provision of humanitarian aid to the population of the Syrian Arab Republic by the Russian Federation

The Russian Centre for Reconciliation of Opposing Sides carried out two humanitarian operations: one in the city of Aleppo and one at Qatana in Damascus governorate.

A total of 150 food parcels were delivered to the Shahba' al-Jadidah quarter of Aleppo. A further 450 food parcels totalling 1.8 tons were delivered to residents of Qatana in Damascus governorate.

Over the 24 hour period, 600 residents received humanitarian assistance. In total, 2.6 tons of humanitarian cargoes were distributed to the population.

Provision of humanitarian aid to the population of the Syrian Arab Republic by international organizations

Russian aircraft parachuted 20.4 tons of humanitarian cargo (food products), received by the Syrian authorities through the United Nations, to the area of Dayr al-Zawr.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (25 February 2017)

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire agreement has been signed with Ayn al-Haramiyah in Homs governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,275.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Damascus, Hama, Homs and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire of 27 February 2016 is unchanged — it is still 110.

The number of populated areas which the Syrian government forces have liberated from armed groups of the international terrorist organization Islamic State in Iraq and the Levant (ISIL) since 1 January 2017 has increased to 61.

Over the past 24 hours, 27.6 square kilometres have fallen under the control of government forces. A total area of 1,972.1 square kilometres has been liberated since 1 January 2017.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The number of Syrian opposition armed groups that have joined the ceasefire regime is unchanged — it is still 64.

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement has reported 14 violations in the following governorates: 5 in Ladhiqiyah, 3 in Hama and 6 in Damascus.

The Turkish representative office has reported seven violations of the consolidated agreement in the following governorates: two in Damascus, two in Homs, two in Dar'a and one in Hama.

During its investigations of these incidents, the Russian representative office was unable to confirm the seven violations.

Humanitarian bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (25 February 2017)

Provision of humanitarian aid to the population of the Syrian Arab Republic by the Russian Federation

Russian humanitarian aid (food, clothing and essential items) were delivered by an Il-76 military transport aircraft of the Russian air and space forces to the Humaymim airbase. The total weight of humanitarian cargo was 17 tons.

Humanitarian cargo (provided through the United Nations) was packed and loaded on parachutes for air drops by Russian aircraft to the city of Dayr al-Zawr.

Provision of humanitarian aid to the population of the Syrian Arab Republic by international organizations

Over the past 24 hours, the United Nations and partners have continued to provide food, medical, psychological and legal assistance to the Syrian Arab Republic. Work is also continuing to rebuild infrastructure and provide temporary accommodation to those in need.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (26 February 2017)

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire agreement has been signed with Dahiyat al-Assad in Damascus governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,276.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Damascus, Hama, Homs and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire of 27 February 2016 remains unchanged at 110.

The number of populated areas which Syrian government forces have liberated from armed groups of the international terrorist organization Islamic State in Iraq and the Levant (ISIL) since 1 January 2017 has increased to 63.

Over the past 24 hours, 28.5 square kilometres have fallen under the control of government forces. A total area of 2,000.6 square kilometres has been liberated since 1 January 2017.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The number of Syrian opposition armed groups that have joined the ceasefire regime is unchanged — it is still 64.

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement has reported 11 violations in the following governorates: 3 in Damascus, 3 in Ladhiqiyah, 4 in Hama and 1 in Homs.

The Turkish representative office has reported 12 violations of the consolidated agreement in the following governorates: 1 in Aleppo, 3 in Damascus, 1 in Idlib, 2 in Hama and 5 in Homs.

During its investigations of these incidents, the Russian representative office confirmed 1 ceasefire violation, but was unable to confirm the other 11 violations.

Humanitarian bulletin of the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (26 February 2017)

Provision of humanitarian aid to the population of the Syrian Arab Republic by the Russian Federation

The Russian Centre for Reconciliation of Opposing Sides has carried out eight humanitarian operations: six in Aleppo city, one in the Hamdaniyah populated areas of Ladhiqiyah and one in Dahiyat al-Asad in Damascus governorate.

Over the past 24 hours, in the Karm al-Bik, Old Aleppo and Shaykh Maqsud districts of Aleppo and at schools in the Muhammad Bak, Jam'iyat Tishrin and Khalidiyah districts, 3,000 hot food packages and 1 ton of bread have been delivered to residents.

A total of 500 food parcels were delivered to residents of Dahiyat al-Assad in Damascus governorate, and a further 300 food parcels were distributed at Hamidiyah in Ladhiqiyah governorate.

Over the past 24 hours humanitarian assistance has been provided to 3,800 residents. In total, 6.2 tons of humanitarian cargoes have been distributed to the population.

Provision of humanitarian aid to the population of the Syrian Arab Republic by international organizations

Over the past 24 hours, the United Nations and partners have continued to provide food, medical, psychological and legal assistance to the Syrian Arab Republic. Work is also continuing to rebuild infrastructure and provide temporary accommodation to those in need.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (27 February 2017)

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire agreement has been signed with Twuyasharah in Ladhiqiyah governorate.

The number of populated areas that have joined the reconciliation process has increased to 1,277.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Damascus, Hama, Homs and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire of 27 February 2016 remains unchanged — it is still 110.

The number of populated areas which Syrian government forces have liberated from armed groups of the international terrorist organization Islamic State in Iraq and the Levant (ISIL) since 1 January 2017 has increased to 72.

Over the past 24 hours, 203.5 square kilometres have fallen under the control of government forces. A total area of 2,204.1 square kilometres has been liberated since 1 January 2017.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The number of Syrian opposition armed groups that have joined the ceasefire regime is unchanged — it is still 64.

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement has reported nine violations in the following governorates: two in Hama, two in Damascus, two in Idlib and three in Ladhiqiyah.

The Turkish representative office has reported seven violations of the consolidated agreement in the following governorates: two in Damascus, one in Ladhiqiyah, one in Homs and three in Dar'a.

During its investigations of these incidents, the Russian representative office was unable to confirm the seven violations.

Humanitarian bulletin of the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (27 February 2017)

Provision of humanitarian aid to the population of the Syrian Arab Republic by the Russian Federation

Over the past 24 hours, the Russian Centre for Reconciliation of Opposing Sides has carried out six humanitarian operations in Aleppo city, during which 0.94 tons of bread and 4.8 tons of bottled drinking water have been delivered to the residents of the Balad, Hawsh al-Shabal, Zabdiyah and Shaykh Maqsud districts and to schools (in the Harbil and Khalidiyah districts).

Over the past 24 hours humanitarian assistance has been provided to 2,320 residents. In total, 5.74 tons of humanitarian cargoes have been distributed to the population.

Provision of humanitarian aid to the population of the Syrian Arab Republic by international organizations

Russian aircraft parachuted 20.3 tons of humanitarian cargo (food products), received by the Syrian authorities through the United Nations, to the city of Dayr al-Zawr.

Information bulletin of the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic (28 February 2017)

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire agreement has been signed with Irbin in Damascus governorate.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Damascus, Hama, Homs and Qunaytirah governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire of 27 February 2016 remains unchanged at 110.

The number of populated areas which Syrian government forces have liberated from armed groups of the international terrorist organization Islamic State in Iraq and the Levant (ISIL) since 1 January 2017 remains unchanged at 72.

Over the past 24 hours, 84 square kilometres have fallen under the control of government forces. A total area of 2,288.1 square kilometres has been liberated since 1 January 2017.

Observance of the ceasefire regime

From 0000 hours on 30 December 2016, a ceasefire came into force in accordance with the consolidated agreement on a comprehensive resolution of the Syrian crisis.

The number of Syrian opposition armed groups that have joined the ceasefire regime is unchanged — it is still 64.

Over the past 24 hours, the Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the consolidated agreement has reported 10 violations in the following governorates: 4 in Damascus, 5 in Ladhiqiyah and 1 in Idlib.

The Turkish representative office has reported 10 violations of the consolidated agreement in the following governorates: 1 in Hama, 5 in Damascus, 1 in Aleppo, 1 in Ladhiqiyah and 2 in Dar'a.

During its investigation of these incidents, the Russian representative office was unable to confirm the 10 violations.